Kennedy 'Understands' South, Says Patterson On 'Support'

Gov. Patterson of Alabama says he is backing Sen. John Kennedy (D-Mass) for president because Kennedy is sympathetic to the problems of the South.

Patterson added:

"I'm not sure what kind of stand Sen. Kennedy will take on the southern view of Civil Rights but he is sympathetic to the troubles we have.

"He will work with us instead of against us," in trying to work out these problems.

Patterson's announcement Tuesday caused some restless rumblings among legislators meting here.

The governor promised to "use all the influence I have to see that he (Kennedy) gets the nomination. . .

"I think Kennedy is going to win. . . and I think he is a friend of the South."

Patterson said he expects to attend the 1960 Democratic National Convention but has no plans for organizing a slate of candidates.

However, he added that he expects there will be candidates supporting Kennedy.

He said he hasn't decided yet whether to seek a delegate seat himself or to attend the convention as a friend.

The governor returned Tuesday from a trip to Washington where he had breakfast with the senator. Kennedy got into the running for the vice presidental nomination in 1956. Since then he's been talked up for a spot on the national ticket next year.

Patterson said other possible candidates for the Democratic nomination are professionals, "Trading and trafficing around.

"Kennedy is not a pro, he's young, he believes in good law enforcement, in fighting racketeering in labor and he's shown an interest in this section of the country.

"He's with us—not against us."

The governor said this is the fourth time he has set down with Kennedy to talk politics.

The governor's stand caused some unrest among legislators and at least one threatened some action.

The legislator announced plans for and then decided against a resolution criticizing "anyone with a large following" who tries to pledge Alabama's votes at the National Democratic Convention.

Will Alabama Take Kennedy?

By DORIS FLEESON.

WASHINGTON — The Governor of Alabama, young John Patterson, did not surprise the Kennedy forces by announcing in favor of the Massachusetts Democrat for the presidency, but his timing did.

Governor Patterson broke the pattern of a well-laid plan when he blurted out his endorsement after a trip to Washington during which he breakfasted with Senator John Kennedy. The plan had been that he would wait a year before making his endorsement and then ascribe his choice to grass-roots sentiments he had found.

His early-bird choice was a matter of astonishment to other politicians in Alabama and elsewhere. Democratic governors generally have been going to great lengths to avoid a choice in the present fluid situation among the Democratic candidates. In states which have primaries, some are preparing to avoid making a choice right down to the wire by running as favorite sons themselves or sponsoring others for this sacrificial post.

The Patterson statement was at least revelatory. It showed other candidates with eyes on the South that Kennedy has not given up his hope of those southern delegations which supported him for the vice presidential nomination in 1956 in the hope of beating Senator Estes Kefauver.

Replying to the initial opinion of some that endorsement by the Governor of Alabama would hurt their chances in northern states, Kennedy supporters say the question of civil rights never came up in his discussions with the governor. They declare that Kennedy's position on civil rights is sufficiently secure that Patterson's endorsement will not change liberal judgment of their candidate.

What Patterson's decision will do politically in Alabama is another question. It is one of the most Protestant of states and in the past has been a hotbed of Ku Klux Klanism. If its Governor can safely sponsor a Catholic for the Democratic presidential nomination, the situation will actually have changed as much as many believe it has.

At any rate—and even if Governor Patterson cannot entirely control his State's delegation at the Democratic convention—his decision will be a blow to those southerners who hope to organize a bloc.

Any affirmations of support are welcomed by the Kennedy forces, who are now finding roadblocks to their progress at nearly every turn. What Kennedy believes he needs most is a chance to demonstrate his vote-getting appeal in a couple of primaries.

One of the few states not yet closed off to him is Maryland. It is not very appealing to politicians, since it only lightly binds the delegates. But Kennedy thinks that there he will get to oppose Senator Stuart Symington of Missouri, whose family roots are in the Free State and who is expected to run as kissing kin. That contest, Kennedy thinks, might be made to yield some national hay.

Legislature Organized: Awaits Special Call

MONTGOMERY (AP) — Gov.-elect John Patterson and other constitutional officers waited for the official election canvass today to see how much they defeated their Republican opponents.

The newly seated Legislature elected officers and heard a report from outgoing Gov. James E. Folsom at the outset of its organizational session Tuesday, then voted to return today for the vote canvass.

Under Alabama law, only the Legislature has authority to count the statewide returns for governor, lieutenant governor, state auditor, state treasurer, secretary of state, agriculture commissioner and state superintendent of education.

The votes for other officers — including the Legislature — were canvassed by a state election board shortly after the Nov. 4 election.

Democrats and Republicans alike waited anxiously for the returns for governor to measure the strength of the GOP vote in light of President Eisenhower's use of troops in the Little Rock school crisis.

Republicans, while still in the minority, had made gains since Eisenhower was first elected, and polled 26 per cent of the vote in the general election for governor in 1954. The GOP vote four years earlier, by contrast, was less than 10 per cent.

After completing the canvass today, House and Senate members were ready to recess until after Patterson has been inaugurated Monday. He is expected to announce then that he is calling a special session to start Feb. 3.

The special session is likely to be called to pass a 50-million-dollar highway bond issue and perhaps meet other emergency problems.

The first floor fight of the organizational session broke out in the Senate shortly after the Legislature convened Tuesday, but was quickly settled.

An effort to take away one of the Senate's favorite filibuster devices fell far short, 24-10, and the Senate's rules remained unchanged, with any one member having the right to have the previous day's journal read.

Tuscaloosa County Sen. Ryan DeGraffenried tried to modify the rules to require a majority vote before the journal could be read at length. That rule was in effect for six years until it was changed back to the one-man basis late in the 1957 session.

Folsom's farewell message said little that he hasn't said many times before. He claimed credit for unprecedented progress in education, roadbuilding, industrial development, old age pension payments and many other activities.

He said he has helped preserve segregation by "working with responsible leaders of all races." And he said he has kept his campaign promise that he would never "force the Negro children to go to school with the white children."

Patterson Predicts Demos Will Elect Sam Engelhardt

BIRMINGHAM (AP) — Gov.-elect John Patterson predicted Sunday that former state Sen. Sam Engelhardt will be elected chairman of the Alabama Democratic Executive Committee.

"More than a majority" of the 72-member committee will favor Engelhardt over Attv. Frank Mizell of Montgomery, Patterson asserted. He is backing Engelhardt.

Thirty-nine members of the incoming state committee caucused at Montgomery last September and pledged their votes to Mizell according to supporters of the Montgomery attorney.

Engelhardt is Patterson's choice for state highway director, and like Mizell has been prominent in the battle to reserve racial segregation in Alabama.

Patterson made the forecast during an appearance on a television news program.

Patterson said he preferred to fight opponents of the South within the Democratic party instead of walking out of the party.

A walkout he said, could mean "the loss of our positions of seniority in Congress, federal money, military bases and other things."

Patterson expressed fear that proposed Negro court attacks on segregated schools at Montgomery could "bring chaos which may result in the destruction of our public school system."

He said he favored a private school plan proposed by Atty. Gen.-elect MacDonald Gallion. The system would go into operation when public schools are closed to avert their integration by federal order.

Patterson said he did not favor an additional sale tax to raise education funds, and felt the state should first seek other sources of revenue.

He said an announcement probably would be made when the legislature convenes next week about a special session which would be asked to float a bond issue for highway funds. The money would be used to match federal road-building funds earmarked for Alabama.

Mizell-Engelhardt Fight Showdown Set Tomorrow

The State Democratic Executive Committee, split asunder by one of its ugliest fights in years, meets at 10 a.m. here Monday to settle once and for all who shall be chairman for the next four years.

Seldom has the fight for the chairmanship of the powerful committee attracted as much public interest as has the struggle between Frank Mizell and Sam Engelhardt.

Mizell is a veteran member of the committee, a states righter and anti-loyalist to the core. It was he who organized the slate of anti-loyalists who won control of the committee in the primary elections last May and June.

Engelhardt is a new member of the committee, elected on the same slate with Mizell, but persuaded at a later date by Gov-elect John Patterson to seek the chairmanship.

And there have been little or no holds barred in the scrap between the two men.

Last September it looked like anything but a brawl was shaping up. A total of 39 of the anti-loyalists attended a caucus here, with another present by mail, and agreed to support Mizell for chairman.

With 40 votes pledged to him, it appeared the election of Mizell would be but a formality.

But in late November the Patterson Administration moved into the picture, plucking Engelhardt from the Mizell camp and dropping him in as a candidate for the chairmanship.

For several days, as the campaign grew warmer, both Engelhardt and Patterson kept quiet. Then early in December the incoming governor came out strong for Engelhardt, and he has issued almost daily statements since that time in support of his choice.

REAFFIRM SUPPORT

Engelhardt's withdrawal from the Mizell camp still left the Montgomery attorney with 39 votes, and almost immediately these committee members began issuing joint statements from the various districts reaffirming their intention to vote for Mizell.

But at this point another Mizell supporter wavered. Jerre Reynolds of Anniston, a member from the Fourth District, issues a statement insisting he did not feel that he had pledged his vote to Mizell. And later Reynolds went further and announced for Engelhardt.

Then only last week Mizell saw another supporter walk out—A. F. (Dick) Devan of Mobile, a member from the First District.

Devan had attended the caucus in September, and as recent as early December he signed a statement with his First District colleagues reaffirming his intention to vote for Mizell. However, a week ago Devan declared he would support Engelhardt for chairman.

These three defections still left Mizell with 37 votes, a majority of the 72-seat group. But any further switches or perhaps the absence of any Mizell supporters could very well give Engelhardt and Patterson the upper hand.

One of the ironical sidelights of the Mizell-Engelhardt fight has been the strange political alliances conceived. Some of Gov.-elect Patterson's most outspoken supporters of the gubernatorial campaign are supporting Mizell, while some of the same men who vigorously opposed Patterson in his race for governor have joined with him in opposing Mizell.

So heated has the chairmanship scrap developed that almost overlooked has been the expected repeal Monday of the controversial Loyalty Oath, which actually started all the trouble in the first place.

That the oath will be repealed seems a certainty as the anti-loyalists—be they for Mizell or Engelhardt—have made it plain their position remains unchanged on this question.

Monday's meeting will be held at the Jefferson Davis Hotel. Circuit Judge Roy Mayhall of Jasper, the present chairman, will preside until the new chairman is elected.

LONG SUPPORT

Also to be elected are a vice chairman and secretary-treasurer. The anti-loyalist slate which

tabbed Mizell for the top post agreed to support H. Coleman Long of Uniontown for vice chairman and R. H. (Dick) Monk of Anniston for secretary-treasurer. It is conceivable that these two men may also be oppoed by the Patterson group.

For the record, here are the names of the original Mizell supporters excluding Engelhardt, Reynolds and Devan:

First District — Sam Blount, W. H. Bruce, David C. Coley III, Albert H. Evans Jr., Roy Haag, H. H. Matthews, Frank Thomas.

Second District — L. D. (Lukie) Anderson, L. W. Brannan Jr., C. J. Kettler, Mizell and J. B. Nix Jr.

Third District — W. H. (Bill) Garner, C. W. Johnson, Hugh D. Kirkland, O. P. Lee, Dan R. Morgan, Joe Sanders and S. Foy Williams.

Fourth District — Robert M. Alton Jr., Walter C. Givhan, M. Alston Keith, John WX. Lapsley, R. H. (Dick) Monk, Sam Venable Jr., and A. J. Jack) Winfield.

Sixth District — Bruce Jones, H. Coleman Long, John D. McQueen Jr. and A. B. Stutts.

Ninth District — M. W. (Mike) Bagwell Jr., Barron Bethea, John Golden, Lawrence E. McNeil Earl T. Rogers, James E. Simpson and Sidney W. Smyer Jr.

Who's He Kidding?

For the first time in a half century the famed Tuskegee Institute band will not march in the state inauguration parade set for January 19.

Governor-elect John Patterson, who rode into office on the back of the NAACP, hastily announced that the Tuskegeeans had not been invited because he felt it "would be embarrassing to them."

This statement has a smell of sour grapes.

Patterson remembers well how sharply his knuckles were cracked at Tuskegee when he attempted to break up a boycott against white merchants there.

If anyone was afraid of being embarrassed it was John Patterson, who didn't want to give Tuskegeeans the satisfaction of boycotting an invitation from the man who has contemptuously demonstrated his intention of being governor of white Alabamans only.

KIND WORDS FOR SUCCESSOR

Folsom Shows Charity At Term End

By BOB INGRAM

With the Christmas holiday injunction of goodwill to men still apparently in his mind, Gov. James E. Folsom displayed nothing but charity Friday for his successor.

In what was probably the last press conference of his second administration, Folsom was repeatedly asked questions aimed at drawing him into a controversy with Gov.-elect John Patterson. With but one mile exception, Folsom would have no part of the game.

The one exception came when he was asked what he thought of Patterson's decision to ban Negro bands from the Inauguration Day parade.

"I'll say this," Folsom said, then paused for a long period. "If I were being inaugurated governor the Negroes in the various communities—who make up one-third of our population—would be invited to participate in the parade."

Other than that ever so-gentle slap at Patterson, outgoing Gov. Folsom pointedly refused to say anything unkind about the man who politically has been anything but kind to him.

Folsom even sided with Patterson in the current controversy for the chairmanship of the State Democratic Executive Committee. In recent weeks Patterson has taken an active part in the committee fight in his support of Sam Engelhardt for chairman.

Folsom said Friday he felt Patterson had every right to take such a part in the committee organization.

"I have always felt that the governor should decide the speaker of the House, the president pro-tem of the Senate and the chairman of the committee," Folsom said. "I felt that way when Graves took office, when Dixon took office, when Sparks took office, when Jim Folsom took office, when Persons took office and when Folsom took office again."

"I see no reason why I should change now," he added. "My policy has always been that way. If I said anything more I might hurt Sam."

Folsom displayed the same feelings of goodwill when asked for comment on Patterson's Christmas eve injunction against the lease of property at Gulf State Park.

"That's just a minor, routine matter," Folsom replied. "I don't intend to get in any little arguments. I might get into some big ones, but not any little ones."

And almost in the same breath he threw in something nice about Patterson.

'CARPETBAG' BONDS

"Gov. Patterson said some nice things about me at the Baptist meeting in Birmingham, and I appreciate them," Folsom said. He was apparently referring to a conversation Patterson had with evangelist Billy Graham when the incoming governor complimented Folsom.

Folsom's comment on the Civil Rights Commission investigation was brief and to the point. Moments earlier he had announced that some old "Carpetbag" bonds issued by the Reconstruction Legislature had been paid off and would be burned Monday afternoon.

WAR OVER

"We're ending a Civil War, not starting one," Folsom said, referring to both the bond burning and the Civil Rights Commission.

"I have finally concluded the Civil War," he added, "but there are a lot of people, both North and South, who are still arguing about the poor old Negro."

Continuing on the racial theme, Folsom recalled that he had promised there would be no classroom integration during his administration and "there hasn't been."

OUT OF COURT

"As far as the next four years are concerned I am not responsible and cannot make an authoritative statement," he said. "During my administration all parties worked together; I worked with both races religiously to keep this thing out of court. That's the only way to win."

Turning to another matter, Folsom said it was his intention for former Docks Director Knox McRae to serve as Morgan County sheriff until 1963.

Folsom named McRae to that office last week but later Patterson was asked to decide if it was legal for McRae to serve beyond Jan. 19.

"I've made appointments like that before," Folsom said. "And I've let appointments like that stand. I've made the motion that McRae serve the four year term, somebody else will have to unmake the motion."

Folsom, in looking beyond Jan. 19, said he was going back to Cullman to start "peddling insurance in North Alabama from door to door."

As to his future political plans, Folsom commented:

"I'm not a candidate and can't be a candidate until the committee meets."

Baptist editor hits Kennedy endorsement

BY CLAUDE KEATHLEY
News religion editor

Gov. John Patterson's recent endorsement of Sen. John Kennedy as a presidential candidate is regrettable and the governor may be surprised at the widespread repercussions caused by his public endorsement, says an editorial in the current Alabama Baptist.

Dr. Leon Macon, editor of the official publication of about 700,000 Alabama Baptists, in a lead editorial, pointed to the firm Baptist belief in religious liberty and the right of the individual to worship according to the dictates of his own conscience.

"We recognize this right for citizens, including Catholics," said Dr. Macon.

"WE GRANT THE governor his personal right in this matter, but we do want to hasten and say that he could not be speaking for the majority of the people in the state of Alabama," the editorial continued.

Granting that any citizen has a right to run for president, Dr. Macon says:

"But what he stands for personally is a vital factor as to whether he should be supported or not."

Dr. Macon says that the very fact that the Vatican is a separate state is proof that the Roman Catholic Church is both "political and religious."

GOV. JAMES E. FOLSOM
Nears Term End

U.S. Inquiry, Reid Linked By Governor

By [illegible]

Gov. John Patterson Monday night blamed an old political foe for initiating a federal investigation of a controversial land condemnation case in Mobile County.

In a scalding statement, Patterson linked the Eddie Reid, executive director of the Alabama League of Municipalities, was responsible for the proposed probe of a case which has already resulted in the censure of a member of the Alabama Legislature.

Reid said it wasn't so.

FIRST INDICATION

The first indication of a congressional probe into the case came Sunday night in a broadcast by newscaster Drew Pearson, who

REID PATTERSON

reported that U.S. Rep. John Blatnik (D-Minn) planned to ask for such an investigation. Blatnik confirmed this Monday.

Patterson, in commenting on the broadcast, said the matter "has the stink of politics and it is not just a coincidence that it comes from Minnesota.

"Everyone knows that Hubert Humphrey, an avowed enemy of the South and an integrationist, is trying with the aid of people like Drew Pearson to get the Democratic nomination for President and he knows that we in Alabama stand in his way," Patterson said. "This attempt to smear us nationally is designed to rob us of our voice in the Democratic party."

We should remember that [illegible] much prodding by Eddie Reid of the Alabama League of Municipalities, Drew Pearson predicted a few days before the last election that I would be defeated for governor," Patterson continued. "As usual, Reid and Pearson were wrong again. It is seldom that they are on the side of the people."

"In the same recent Pearson broadcast in which he slandered my adminstration with the help of his political crony, Hubert Humphrey of Minnesota, by some strange coincidence, he praised another one of his political cronies, Eddie Reid of Alabama," Patterson declared. "It is well known that Eddie Reid was no supporter of mine and no friend of this administration."

"Could it be that Eddie Reid is continuing the smear tactics now that he used against me during my campaign?" Patterson asked. "Could it be that Eddie Reid has teamed up with the integrationist Humphrey and others in Alabama who would sell us out for their own selfish gain to wreck any chance we may have to elect a President next time who is sympathetic to the South?"

WITH BOTH BARRELS

Reid, long-time Alabama political figure and one of the leaders in Judge George C. Wallace's unsuccessful campaign for governor, fired back with both barrels at the chief executive.

"I am amazed that Gov. Patterson is continuing his attack on people who didn't support him last year," Reid declared. "It is a well-known fact that I voted for Judge George C. Wallace. I have no apologies to make for that vote. He had been our longtime supporter in the Legislature as well as our personal friend."

"I had nothing against Mr. Patterson except that I was supporting Judge Wallace," Reid continued.

In reply to Patterson's reference to "smear tactics," Reid declared that the "only smear sheets I saw or ever heard about in the campaign were those aimed at Judge Wallace and I am certain they must have come from the camp of some of his opposition . . . Mr. Patterson or another.

"As far as having anything to do with the Drew Pearson comment on Mr. Meriwether and Gov. Patterson, I had no part in it whatsoever," Reid declared. "I would not know Congressman Blatnik if I saw him on the street, and I have never seen or talked with Sen. Humphrey."

JUAST AS WRONG

Reid also denied that he had "prodded" Pearson into predicting Patterson's defeat in the race for governor.

"The governor is just as wrong about Drew Pearson's prediction on the election as he is in the other things included in his statement," Reid declared. "Pearson, in fact, predicted that Mr. Patterson would win. Does that mean that Drew Pearson and the northern integrationist were happy about Mr. Patterson's prospects?"

Pearson forecast a Wallace-Jimmy Faulkner runoff in his broadcast two days before the primary, but picked Patterson to win in the runoff.

"I am sorry that Gov. Patterson is still bent on destroying those that did not support him," Reid concluded, "but if he wants to take time out from what should be a busy state official's schedule to rawhide me that suits me perfectly well."

LONG ANTICIPATED

The sudden and violent public split between Patterson and Reid had long been anticipated. It was generally known that Patterson had resented Reid's active role in the Wallace campaign.

There have been widespread reports that Patterson was quietly seeking to have Reid ousted from his post as head of the politically powerful League of Municipalities.

The Patterson-Reid outburst was the latest development of a case which had its beginning on the floor of the House of Representatives Feb. 19.

PRESSURE CHARGED

It was at that time that Mobile Rep. Charles S. Trimmier of Mobile disclosed that he had evidence indicating "serious implications of corruption" involving persons in Patterson's administration.

Trimmier charged that he had evidence indicating the administration had brought pressure on land appraisers to give a $180,000 cash settlement to E. E. Delaney, owner of the property in question. Delaney was awarded a $1 settlement, which he has since appealed.

On the following day the House passed a resolution by a vote of 86-2 sharply comdemning Trimmier for making the charges, which the administration called "malicious, unfounded and untrue."

Trimmier has since announced he will take his evidence before a Mobile County grand jury when it convenes in April.

Heavy Vote Indicated For Runoff

Gayle, James Vie For Nomination As City's Mayor

Montgomery voters are expected to go to the polls in a heavy turnout for the second time this month Monday, and when the votes are counted either Earl James or W. A. Gayle will be nominated mayor.

Monday's runoff election climaxes a week of hot and heavy campaigning by both candidates, who have scored each other on their past records in office and on their segregation stands.

One disputed item has been the Negro vote in the primary last Monday, and which of the candidates received most of it.

FIELD OF FOUR

Gayle and James emerged as runoff opopnents Monday out of a field of four candidates for mayor. Adm. John Crommelin and Dave Birmingham were eliminated.

Gayle drew most votes, 8,563 to 6,789 for James.

Frank Parks kept his seat on the City Commission last Monday, while Clyde Sellers lost his to L. B. Sullivan.

During the week between the two elections, both Gayle and James made appearances over WCOV-TV, which eased a ban on political speeches imposed by both local television stations during the campaigning prior to last Monday's election.

12 SOUGHT ELECTION

Twelve candidates were seeking election to the City Commission at that time.

Polls will open at 8 a.m. and close at 6 p.m., and polling places will be the same. There are no changes in election officials.

Wards, voting precincts, and number of machines in each precinct are as follows:

Ward 1—Bell Street Fire Station (2).

Ward 2—North, Hamner Hall Community Center (4); South, Cleveland Avenue Fire Station (3).

Ward 3—Bellingrath Community Center (6).

Ward 4—Montgomery County Courthouse (6).

Ward 5—West, Capitol Heights Elementary School (10); East, Morningview Elementary School (3).

Ward 6 — City Auditorium (2).

Ward 7 — West McDonough Street Fire Station (7); East, Highland Avenue Fire Station (7).

Ward 23—Cloverdale Community Center (10).

A full official tabulation of the returns should be in by 7 p.m., officials said.

The winner in Monday's election will take office in October.

Black Belt Faces Tough Challenge If State Loses 1 Of 9 Congressmen

By REX THOMAS
AP Staff Writer

The traditional black belt denomination of the Legislature faces a tough challenge when Alabama gets ready to decide which of its nine congressional seats it must give up.

From all indications, the state will lose one congressman after the 1960 federal census is taken. The Legislature will have to say which one.

Even though the showdown is still two years off, the lines are already being drawn. And battle-tested black belters don't have any idea of giving up one of their congressmen even though other districts have bigger populations.

HELD STRENGTH

They held their strength the last time Alabama lost a seat in Congress—in 1932. It was North Alabama instead which came out on the short end.

Legislators from that part of the state haven't forgotten it, either, and they're equally determined to keep what they now have.

But they have been fighting for half a century for legislative reapportionment, too, and the black belt has blocked it. History may well repeat itself when the Legislature sets out to cut the present nine congressional districts up into eight.

Youngest member of the Alabama delegation in point of service, except Rep. George Huddleston Jr., who represents only Jefferson County, is congressman Armistead Selden Jr., of Greensboro in the sixth district. He was first elected in 1952.

HISTORICALLY SKILLED

But that doesn't mean his place will be eliminated. His district includes three black belt counties—Greene, Perry and Sumter—whose legislators are historically skilled in handling such matters.

Gov. John Patterson likely will have something to say about it, and some South Alabama legislators are counting on his support since there is strong black belt sentiment in the third district where he votes.

The governor's uncle, Lafayette Patterson lost out when the state was re-districted in 1932 and the number of Alabama congressmen cut from 10 to nine.

NEW FIFTH DISTRICT

Before the seat was taken away on the basis of the 1930 census, the elder Patterson, a resident of Alexander City, represented the Fifth District. Miles Allgood of Gadsden was the Seventh District congressman.

In the reshuffle, both Etowah and Tallapoosa counties were put in the new fifth district, leaving Allgood and Patterson to fight it out for the one seat. Allgood won.

And the Fifth District was the only one which wound up with fewer counties than it previously had. There were nine counties in the district before 1932, there are eight now.

BAMBERG
WILL OPEN
OUR PARKS
On A
SEGREGATED
BASIS

ELECT WALTER
BAMBERG
Commissioner Pl. 1

"Old Enough To Know
Young Enough To Go"

(Pd. Pol. Adv. by Rosry Snider, Montg., Ala.)

New Leaders At The City Hall

THE BASIC REASON for the surprising results of our city primary elections this year is that people want a change and want new faces at the City Hall. The defeat of Mayor Gayle and of Commissioner Sellers is no reflection upon them and the able administration they have given to the city. It means that Montgomery is like the rest of the country. Change is in the air. People are restless, ambitious, even audacious in wanting things done differently by different people.

If a national election were held today Governor Rockefeller would be elected President and a greater Democratic majority than ever would be piled up in the senate and house of representatives.

In our latest state election, Alabama voters showed the same spirit of desire for change, for daring, for younger leadership, for abandoning the old and tried ways of doing things by the same persons.

They want a new approach, new ideas, even new experiments, new zip and zeal.

—o—

Mayor Gayle and Mr. Sellers were victims of this spirit of change though they piled up such a huge vote of endorsement for what they had done. Montgomery not only set a new record yesterday in the number of votes cast, it broke precedent by casting more votes in a run-off primary election than in the primary itself.

It is easy to say that this or that thing defeated the incumbents. But the explanation is not that simple. The defeated officials may have made some people mad at times, but that is the case with every public man who makes important decisions and performs his duty.

It happened that the time was at hand when Montgomery wanted a change. The city's fast growth, its thousands of new citizens, its expanding demands for new kinds of public service betokened the change, for Montgomery is a vastly different city from what it was a few years ago.

—o—

The defeated commissioners can look back to some remarkable achievements in keeping up with the growing city and its new trends. Montgomery is on a new financial basis of soundness, though increased taxes have been necessary to accomplish this. Public works on a huge scale have been carried forward making Montgomery a better healthier and safer city in which to live. For much of this the retiring commissioners are responsible. But the time for change had come and come it must though the mayor's defeat was by a mere 720 majority out of 17,568 cast, an outpouring of voters such as the city has never before witnessed.

—o—

As for the new mayor and commissioner who will take charge at the City Hall October 1 they face a challenge that will require all their talent and ability. Much will be expected of them, and their acts will be continually compared with those of the older and more experienced men who are now retiring from the city's service.

Many thousands of voters believe that they will meet this challenge boldly and acceptably. Mr. Earl James, the new mayor, has had wide experience in public service, part of it as a former city commissioner. Mr. L. B. Sullivan, likewise is a man of wide experience in dealing with problems similar to those which will face him as police and fire commissioner. The city has every reason to expect much from them as they join Mr. Parks in carrying on at the City Hall.

They know, as do all men, "Montgomery Is On The Go" these days, and a man must go fast to keep up, to say nothing of keeping in the lead.

For potent Demo job—

Engelhardt said fronting Mizell

BY FRED TAYLOR, News staff writer

MONTGOMERY, Ala., Dec. 13—There appears to be little doubt that State Highway Director-Designate Sam Engelhardt Jr., with the potent backing of Gov-Elect John Patterson, will be chosen next chairman of the State Democratic Executive Committee.

More than enough votes on the 72-member state party governing body reportedly already have been lined up to assure Engelhardt's election over Montgomery Atty. Frank Mizell Jr.

It was learned that at least 44 members of the incoming committee, possibly more, are ready to step with Engelhardt.

Oath not involved

AND, DESPITE reports to the contrary, the matter of repealing the party's spelled-out loyalty oath for candidates in primary elections is not at stake.

Not only are Mizell and Engelhardt for knocking out the loyalty oath for candidates, but so is Patterson, according to sources close to the incoming governor.

Patterson is expected to issue a statement later, giving his reasons for wanting Engelhardt, one of his close and trusted lieutenants, for the key committee post.

THIS REPORTER revealed two weeks ago that a movement was under way, led by strong Patterson lieutenants, to get Engelhardt elected to the chairmanship. They were hopeful of winning the active support of the governor-elect, which they apparently have, to assure the election of the man Patterson has designated to head the State Highway Dept.

It is traditional that an incoming governor, who becomes the titular head of the Democratic Party in Alabama, can get his choice for committee chairman elected.

Gov.-Elect Patterson already has conferred with Gov.-Elect Ernest Vandiver of Georgia and Gov.-Elect F. L. Hollings of South Carolina regarding Southern strategy in the months ahead and at the 1960 Democratic National Convention.

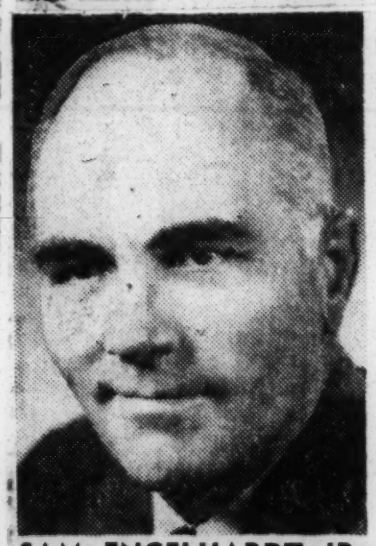
Eye on convention

AND PATTERSON, who very probably will be a candidate for one of Alabama's Democratic delegates-at-large, is expected to confer with other Southern governors soon.

As a delegate-at-large, Patterson would be the likely choice to head Alabama's delegation to the 1960 convention.

Mizell, veteran committee member, who earlier had been looked on as favorite to win the committee chairmanship, and his backers have been busy lining up support in the tussle among anti-loyalists for the key committee place.

All eight incoming committee members from the First Congressional District, which includes Mobile County, recently reemphasized their pledge to back Mizell.



SAM ENGELHARDT JR.
. . . To be chairman?

Voters Flood Polls In Hot City Races

New Record Expected In Big Turnout

By GENE KOVARIK
Journal Staff Writer

Spot checks at a number of the polling places in the city indicate that a record vote will be cast in today's Democratic primary.

Twelve avowed segregation stalwarts are seeking places on the three-man City Commission.

Election officials reported the voting was very brisk during the first few hours after the polls opened at 8 a.m. Many people stood in lines waiting their turns to vote.

Later in the morning, a steady stream of voters flowed in and out of the 11 polling places.

NEW RECORD SEEN

One official said that if the voting continues as predicted, the city would set an all-time record in a municipal election. Heavy voting is expected between the noon lunch hour and during the final hour between 5 p.m. and 6 p.m.

Police Chief G. J. Ruppenthal said policemen were dispatched to a few polling places to keep the traffic from being tied up. "This is a routine procedure," the police chief said, "to keep the traffic flowing at an even pace."

4 MACHINES BREAK

Four voting machines broke down this morning, but they were quickly fixed. Election officials said other machines were used and the breakdowns did not create any great handicap.

The breakdowns were reported at Cleveland Avenue Fire Station, Cloverdale Community Center and Capitol Heights Elementary School.

More than 14,000 voters are expected to cast their ballots in this election. Records show that there are more than 26,000 registered in the city.

The weatherman predicted light rain today, but it is not expected to hamper the large turnout.

Vote-counting probably will be finished before 9 p.m.

ALL PLEDGE SEGREGATION

Racial issues — dominated by pledges to preserve segregation flavored the campaigns of all 12 candidates.

Mayor W. A. Gayle, Police Commissioner Clyde C. Sellers and Public Works Commissioner Frank W. Parks concentrated their campaigns for re-nomination mainly on their anti-integration fight.

They closed all city parks early this year after a group of Negroes filed suit in federal court seeking to integrate the public recreational facilities.

Some of the challengers, however, have criticized them for permitting integration of city buses ordered by federal court. They contended the commissioners could have prevented racemixing by cancelling the bus franchise.

The race for police commissioner was the only seat slated for a final outcome today. Sellers' lone opponent is L. B. Sullivan, former state public safety director.

Possibility of a runoff boomed in the races for mayor and public works commissioner. If no candidate gains a majority, a runoff election will be held next week.

The general election is scheduled May 18.

The three candidates running against Gayle are former Commissioners Dave Birmingham and Earl James and retired Adm. John Crommelin, an unsuccessful candidate for governor last year.

Running against Parks are Walter Bamberg, Richard H. Burwell, D. H. Caraker, Allan B. Jones, and George Rivers.

In two wards, there are two-man races for membership on the City Democratic Committee. They are J. J. O'Conner and Rufus Marvin Taylor in Ward One and B. Theron Bradley and T. A. Hardy in Ward Seven.

Lawmakers Vote 86-2 To Rebuke

By BOB INGRAM

The House of Representatives rushed to the defense of the accused Patterson Administration Friday, branding as "unsupported, unfounded and false" charges of corruption made by a freshman lawmaker from Mobile.

By a crushing vote of 86-2 the House approved a resolution condemning Rep. Charles S. Trimmier of Mobile for his surprise attack on the administration Thursday from the House floor.

Trimmier told the chamber Thursday he had evidence which indicated persons close to Gov. Patterson, including Finance Director Charles Meriwether, had used pressure in an effort to get a $180,000 award made to a Mobile property owner in a land condemnation proceeding in Mobile.

DAY IN COURT

The Patterson forces had their day in court Friday, and they made the most of it.

Leading off the attack was one of Trimmier's own colleages from Mobile, Rep. Joe Hocklander. He produced written statements from the Mobile County officials allegedly involved in the case, all of them denying they had made the statements attributed to them by Trimmier.

Next came Rep. Ira Pruitt of Sumter. His attack on Trimmier was no stronger than his defense of Patterson and Meriwether.

And finally Rep. Hugh Merrill of Calhoun stepped to the mike to offer the highly critical resolution. It held that the "insinuations and innuendos" preferred by Trimmier has been proved to be "unsupported, unfounded and false" and further declared that the House members "deplore the use of this forum by a member . . . in making irresponsible and unfounded charges against any state official."

The key testimony of the day, however, came from young Hocklander, an attorney and, like Trimmier, a freshman member of the House.

FOLLOW CONSCIENCE

"I do not rise today to criticize or condemn my colleague for his statements on this floor yesterday," Hocklander said. "Each of us must follow the dictates of his own conscience — must govern himself according to his own peculiar code of ethics."

"My conscience, my code of ethics, prohibits public accusations based on hearsay evidence, without first confronting the ones concerned with what I had heard," Hocklander continued.

Hocklander then presented to the House sworn statements from four Mobile men who had been specifically named by Trimmier in his Thursday remarks.

Trimmier had said that Mobile Probate Judge Vernal Jansen and property appraisers Sidney W. Gill and H. Tom Cochran had all told him of "pressure" being applied to give E. E. Delaney, a Patterson supporter, an award of $180,000 for damanges to his prop-

2 Members Vote Against Condemning

Two members of the Montgomery County House delegation cast the only dissenting votes Friday against a resolution condemning Rep. Charles S. Trimmier of Mobile for his attack on the Patterson Administration.

Voting against the resolution were Reps. Alfred Goldthwaite and Joe Goodwyn.

Goldthwaite said he thought the written statements presented to refute Trimmier's charges were "vague and misleading."

"I feel the matter should be turned over to the Mobile Grand Jury for investigation," Goldthwaite added.

Goodwyn took the House floor to explain his vote.

"I voted against the resolution because I felt it was offered too fast, prematurely for such a serious matter for condemning a member," Goodwyn said. "I wasn't ready to say that what Trimmier said was not so."

Of the 16 House members who did not vote on the resolution at least 14 were present in the chamber at the time the vote was taken.

Patterson Charge Countered By Reid

Pressure On Judge To Quit Race Is Accusation

MOBILE, March 25.—(UPI)—The executive director of the Alabama League of Municipalities charged Wednesday that friends of Gov. John Patterson tried to get him to help force former Circuit Judge George Wallace out of last year's governor's race.

Ed Reid declared "two well-known emissaries" of Governor Patterson promised he could write his own ticket if he succeeded.

"I told them I didn't get George Wallace into the race," he said, "and didn't feel as if I should try to get him out. In fact I don't think I could have gotten him out if I had tried."

Mr. Reid made the statement after being accused by the Governor of being connected with a threatened congressional investigation of alleged "political pressure" by the state administration in a controversial Mobile land condemnation case.

The Governor Tuesday charged the request by Representative John Blatnik (D., Minn.) for an investigation of the case "has the stink of politics."

Mr. Blatnik asked the House Government Operations Committee to assign an investigator to the case, since it involved an alleged offer to "give away" Federal funds to pay off a political supporter of Governor Patterson.

The case involved an easement obtained by the state Highway Department to dump spoils dredged from an interstate highway project on land owned by E. E. Delaney of Mobile.

Patterson And Reid Trade Blows

MONTGOMERY (AP) — A smoldering political enemity between Gov. John Patterson and Executive Director Ed Reid of the Alabama League of Municipalities has burst into the open. Groundwork for the hot dispute came in a radio broadcast by columnist Drew Pearson Sunday night.

Pearson said Rep. John Blatnik (DMinn) was seeking a congressional investigation of a controversial land condemnation case in which the Patterson administration has been mentioned.

The governor fired the opening blast Tuesday night with a statement trying to link Reid with the proposed investigation. He did not explain the league director's possible connection, although Pearson paid tribute to Reid in the broadcast.

Reid denied having anything to do with the proposed inquiry or Pearson's broadcast.

He charged Wednesday that two friends of Patterson, whom he declined to name, came to him during the gubernatorial campaign last year to see if he could get George Wallace out of the governor's race. Reid suported Wallace.

CAPITOL ROUNDUP

Patterson Will Confer With Legislative Group

By BOB INGRAM
Of The Advertiser Staff

Gov. John Patterson is scheduled to meet with his key legislative leaders Monday to outline his views on the efforts of the new interim committees created by the Legislature.

Lt. Gov. Albert Boutwell, House Speaker Charles C. Adams and Sen. Vaughan Hill Robison, president pro tem of the Senate, will head up the legislative delegation conferring with Patterson.

Both the interim committee on finance and the revision of laws committee are scheduled to begin work here this week.

The finance group—made up of the Senate finance and taxation and House ways and means committees—has been instructed to devote its efforts to fiscal matters.

All other legislation, including segregation bills, will be left to the law revision committee.

The big problems facing the committees, and overlapping ones, are finding means of financing public schools and finding ways of perserving segregated public schools.

SCHOOL NEEDS

The finance committee is expected to give close scrutiny to the Alabama Education Commission's report on school needs. But at least one of the commission's recommendations—a one cent hike in the sales tax—isn't expected to get very far. Patterson has already declared his vigorous opposition to such a plan.

While segregated measures will be the most critical item on law revision agenda there will be a host of other important matters brought up for consideration.

A new small loan bill may be conceived in the committee, a far-reaching overhaul of the state insurance code must be thrashed out, and steps to strengthen the state competitive bid bill are just a few of the major proposals to be considered.

Chairman of the revision committee is Rep. Virgis Ashworth of Bibb, while Sen. Robison of Montgomery will direct the efforts of the finance group.

Engelhardt To Call Democratic Meeting

The Alabama Democratic Executive Committee may get an opportunity this week to finally complete its organization.

Committee Chairman Sam Engelhardt, the state highway director, promised 10 days ago he would call a meeting of the party group the first week in March.

Engelhardt adjourned the organizational meeting in January seconds after his election as chairman and as a result no other officers were ever named. Still to be elected are a vice chairman and a secretary-treasurer.

And the States Rights element within the committee, constituting a majority, also desires to take some action on the controversial loyalty oath.

There have also been reports than an effort may be made at the committee meeting to assure the election of delegates to the Democratic National Committee in 1960. There have been faint rumors among some of the members still disgruntled over the heated chairmanship election that a move might be made to have

since 1924, has resigned to enter private business.

The 55-year-old Francis has been head of the City Planning Division of the State Planning and Industrial Development Board since 1943. Prior to that time he had been employed with the State Highway Department.

In his letter of resignation Francis emphasized his decision was in no way based on the recent change of state administration. Instead he said he felt it was in his best interest "to devote full time to private city planning consultant practice."

Francis is a graduate of Montgomery's Starke School, and in 1930, after six years' employment with the Highway Department, he enrolled at Auburn where he earned a degree in civil engineering. In 1925, while on duty with the Highway Department, Francis was in an accident on the job which resulted in the loss of his right leg.

At one time during the second Folsom administration he served briefly as acting director of the Planning and Industrial Development Board. As city planner he was paid a salary of $8,400 a year.

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INAUGURATION- MONDAY, JANUARY 19, 1959
GOVERNOR JOHN PATTERSON

Inaugural Prelude

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NEW LEGISLATURE TAKES OATH TUESDAY

By REX THOMAS
AP Staff Writer

A new Legislature sworn to preserve segregation embarks Tuesday on an uncharted course which may lead ultimately to the closing of public schools in Alabama.

And with federal agents still searching for evidence to prove or disprove charges of discrimination against prospective Negro voters, the legislators will be acutely conscious, too, of the threat of mass Negro registration.

But for the moment those grave problems and others of lesser concern are issues for the future to decide. Only organizational matters like the election of House and Senate leaders can be taken up in the first 10-day session which starts at noon Tuesday.

THE 106 PRO - SEGREGATION House members and 35 senators elected last November probably will remain in session no more than two or three days before recessing until Gov.-elect John Patterson takes office Jan. 19.

Patterson is expected to notify the Legislature at that time that he intends to call the members back in a special session around Feb. 1 for their first actual lawmaking venture.

Before the new chief executive is sworn in, the Legislature will hear a report from outgoing Gov. James E. Folsom summing up his administration of the past four years. Folsom is scheduled to address a joint session of the two houses at 2 p.m. on the opening day.

THE HOUSE MEANWHILE must elect a new speaker and speaker pro tem while the Senate across the corridor chooses a president pro tem who also represents the governor as administration floor leader. The presiding officer in the upper house is the incoming lieutenant governor, Albert Boutwell of Birmingham.

Patterson has chosen 46-year-old Alexander City insurance man, Rep. Charles C. Adams, for speaker of the House, and his election is a foregone conclusion. Adams is serving his third consecutive term in the Legislature.

For speaker pro tem, to preside over the House in the speaker's absence, the governor-elect has nominated second-term Rep. Virgis Ashworth of Bibb County. In that role, Ashworth will be the administration's floor leader.

Sen. Vaughan Hill Robison of Montgomery is the administration choice for president pro tem of the Senate. Like Adams, he was re-elected for his third term.

The speaker in the lower chamber and Boutwell in the Senate also will announce committee assignments, some of which have already been made known.

HOUSE AND SENATE MEMBERS can put through a salary resolution to fix their own pay in the organization session if they choose, but they don't have to. The existing act sets the salary at $30 a day while in session until changed.

In the organizational process, the new Legislature will officially canvass returns of the November election for governor and six other constitutional officers. The count will disclose for the first time how much of a margin Patterson enjoyed over his Republican opponent, William L. Longshore of Birmingham.

Even before he was [illegible] the incoming governor [illegible] a special session of the Legislature to pass a 50 million dollar road bond issue to take advantage of some 103 million dollars of available federal funds which have gone unmatched in the Folsom administration.

Highway authorities have expressed fear that unless prompt action is taken, Alabama will lag farther and farther behind until ultimately it risks the danger of losing part of its federal aid.

PATTERSON MAY ASK the legislators to consider other matters, too, in the special session, perhaps gaining an early start toward his announced goal of a private school system to replace public schools threatened with integration.

The governor-elect has advocated passage of laws to:

1. Close any school where federal troops or other use of force is deployed to carry out desegregation orders.

2. Cut off state funds to any school which fails to resist an integration decree.

Alabama school boards already have the authority under existing state law to close schools threatened with integration. But it isn't mandatory, and Patterson says the law doesn't go far enough.

A privately administered educational foundation has already been formed to finance the establishment of private schools where classes have been suspended in public schools.

Meanwhile, as long as public education remains, the demand has continued to grow for increased state funds.

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ARIZONA

CAMPBELL FILES PETITION

MOSES CAMPBELL files his petition for the primary election on Nov. 10. He was accompanied by Zane Dickson Democratic precinct committman.

On Monday, Oct. 19, the necessary petitions were surrendered to the City Clerk of Phoenix, formally announcing the candidacy of Moses Campbell, Jr. as a candidate for the office of City Councilman on November 10. Mr. Campbell expressed his sincere gratitude to those who have signed his petitions.

Mr. Campbell's platform is based upon the following five tenets:

(a) Elimination of all discrimination in City and private employment in the city of Phoenix.

(b) An immediate increase in the pay of all hourly city employees to bring their salaries commensurate with those of cities of similar population. This is necessary to improve morale of our employees.

(c) An end to this creeping confiscation of private property.

(d) Death to oligarchy and despotism.

(e) A return to brotherhood among man, and the promotion of a Better Phoenix, Better Arizona, and Better World.

Faubus Against Third Party Bid

But He Leaves Door Open To Being Candidate

IN EXTREME SITUATION

By KENNETH JOHNSON

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, March 30. — Gov. Orval Faubus gave little encouragement Monday to the possibility of his becoming a third party presidential candidate. However, as on previous occasions when the subject arose, he left the door open.

The Governor inferred he might be more interested in the senatorial seat now held by Senator John L. McClellan (D., Ark.), although he made it clear he would run for the Senate only if Senator McClellan retired.

"If McClellan should retire, I would consider that race. But not if he runs again," the Governor said. Governor Faubus, who is on friendly political terms with the senator, had stated earlier he would not oppose Senator McClellan.

'No Encouragement'

As to his seeking a fourth term as Governor next summer, Governor Faubus said he hadn't given it any thought. And he said he had given "no encouragement" to anyone suggesting that he become a presidential candidate, either for the Democratic Party or a third party ticket.

His comments came when newsmen asked him about statements made Sunday by Associate Justice Jim Johnson of the Arkansas Supreme Court who, in a Memphis television appearance, suggested Governor Faubus as the logical choice to head a states rights movement.

The governor said he had "no inclination at the present time" to head a third party. He told newsmen he was getting some encouragement to become a presidential candidate—but as nominee of the Democratic Party, not a splinter movement.

"There hasn't been much on the third party question, probably because my point on that has been so clear, namely, that I do not favor a third party," said Governor Faubus.

Only in an extreme situation—such as "Southern states being unceremoniously ejected" from the national Democratic Party—would he consider a third party draft, the governor said.

Appeared On WMCT

Justice Johnson, who appeared on the Youth Hunts Headlines program over WMCT, The Commercial Appeal television station, elaborated on his Sunday statements. He said he feared some listeners may have received the impression he was "promoting" a third party. On the contrary he—like the governor—also would like to stay in the Democratic Party, if possible, he emphasized.

"But if the South is read out of the Democratic Party, we will have no choice but to form a third party," said the associate justice. And the possibility is so strong that the South should be "taking care of the mechanics now" for setting one up, he added.

The danger lies in extremely liberal segments of the Democratic Party refusing to recognize Southern thinking or tradition on the integration and states rights questions, the associate justice said in effect.

Justice Johnson said he believes Governor Faubus should enter some Northern or Eastern presidential primaries, as he suggested Sunday, "to prove that the states rights sentiment is strong" throughout the United States.

GOV. ORVAL FAUBUS
Urged To Make Bid

Gov. Faubus Urged To Seek Presidency

LITTLE ROCK, Ark. (AP) — Gov. Orval E. Faubus said Monday he has given no encouragement to suggestions he make a bid for the presidency in 1960.

He told a news conference he had been approached by unnamed out-of-state interests with requests he enter various primaries around the country to gauge reaction to the idea.

But the governor said, "I don't attach much importance" to these suggestions.

Faubus, who touched off the 1957 Little Rock integration dispute by surrounding Little Rock Central High School with state guardsmen to prevent integration, was boomed Sunday as a presidential possibility by a justice of the Arkansas Supreme Court.

Justice Jim Johnson, 33, a segregationist who suffered defeat at Faubus' hands in the state's 1956 Democratic gubernatorial primary election, suggested in a Memphis television appearance that Faubus might well try his luck in northeastern primaries.

Faubus did not comment specifically on Johnson's proposal. He merely said he had encouraged no one to push his possible candidacy.

The governor remarked that some of his fans want to form clubs and print auto bumper stickers booming him for the job.

Although he said he had not encouraged any beating of political drums, Faubus did not slam the door on the possibility he might try for the White House—either as Democratic nominee or as head of a third party movement.

House Probers Head Toward Little Rock

By HOWARD SUTTLE

Daily News Wahington Bureau

WASHINGTON, — The unprecedented House investigation of the write - in election of Rep. Dale Alford (D - Ark.) shifts to Little Rock Monday as a three - member House Administration subcommittee moves to Arkansas to check some 60,000 ballots cast in that state's Fifth Congressional District, last Nov. 4.

Alford gave up a good practice as an eye surgeon to respond to a "draft" and oppose the veteran Brooks Hays, a socalled "moderate," on the segregation issue. Running on a contention that the Supreme Court's Black Monday (school segregation) decision represents a "usurpation of the powers of Congress and the people," he chalked up a majority of some 1,250 votes over Hays. Those who voted for the victor had to either write - in his name on the ballot, and "spell it right," or paste it, printed, on the ballot.

Representatives Robert T. Ashmore (D - S. C.), chairman, Carl Elliott (D - Ala.) and Glennard P. Lipscomb (R - Cal.) constitute the subcommittee assigned to supervise the Arkansas phase of the probe. These three and five other congressman on the subcommittee conducted hearings in Washington, about three weeks ago, to hear testimony on the complaint of John F. Wells, Little Rock weekly newspaper publisher, charging irregularities in the Nov. 4 balloting.

HAYS NOT CONTESTING

The investigation was ordered by a narrow, 13 - to - 12 vote of the House Administration Committee, headed by Rep. Omar Burleson (D - Tex.), despite the fact that Hays, himself, has declined to contest the election.

The response by the Administration Committee to the Wells complaint represents the first time in history in which the House has acted, in the face of an election certificate presented by a victor, without a formal protest from the defeated candidate.

It's thus believed here that the charges by Wells have a substantial assist resulting from agitation by the NAACP, ADA and others pressing for forced racial integration.

Three accountants from the General Accounting Office, in Washington, are accompanying the Ashmore Subcommittee to Little Rock to do the actual counting of ballots which the subcommittee decides should be checked.

GRAND JURY BOWS OUT

The House probers will arrive in Little Rock in the wake of a report by a federal grand jury, declining to return indictments distributed during his campaign.

"From our lengthy investigation," the grand jury reported after having looked into the matter over a period of about four months, "we find no true - bill to be reported."

The grand jury had the assistance of the Justice Department, which sent FBI agents to the Fifth Arkansas District to check on charges of irregularities.

Alford has told the House, on several occasions, that he "would not, for a moment, desire to serve" in Congress "unless I had been properly and honestly elected." He declared that during his campaign, he had stated "emphatically" to his workers that "I would not be a party to any act or utterance for which we would ever have to apologize." He has "never and never will," he added, "condone any action that cannot be viewed in the light of truth as being honorable and for the best interest of my beloved country."

DISAVOWS CIRCULAR

Alford has disavowed responsilibity for an unsigned circular, distributed during is campaign. The circular showed a photograph of Hays, seated with a group of Negro leaders at a Negro Baptist meeting. The congressman said he had "no knowledge" of the circular until Hays exhibited a copy on a telecast, the night before the election.

However, the photo of Hays and the Negroes was published as a news item in papers during the campaign.

In response to charges by Wells that the number of votes counted in certain boxes exceeded the number who were actually recorded as having voted, Claude Carpenter, counsel for Alford, brought out information that absentee ballots, and ballots cast by persons recently - moved from one precinct to another, could have created discrepancies in voting records.

Boom For Faubus For U.S. President May Have Started

S. C. Senators Speak In Favor Of Nomination

By JOHN MOYE
A Capital Correspondent

COLUMBIA — The State Senate may have witnessed the beginnings of a movement for Arkansas Gov. Orval Faubus as the Democratic nominee for president in 1960.

Sen. John D. Long of Union reiterated his stand on the recent U. S. Supreme Court decisions involving two double jeopardy cases.

Then Lee County Sen. Ed. B. Baskin rose and in response to Long's oration, said "I want to go on record as believing the sentiments of South Carolina could be best expressed by being in support of a man who stands for the same things we stand for.

"I believe Orval Faubus is the best possibility I see at this time," Baskin said.

Baskin expressed fear that South Carolina would not have a voice in the national Democratic convention and said, "While I don't want to start and bandwagon here today, I think it extremely important that we go on record as supporting those people who stand for our way of life."

Long had likened the fanaticism of the "civil righters" of today with the witch burners and prohibitionists of a bygone era.

He said such federal action as the double jeopardy decisions were "harbingers of a wave of fanticism."

"The first time this happened, the Confederate war resulted," Long said.

He cited the graft, corruption and immoralities of the prohibition period as an example of what would ensue in case of forced integration.

Long said he took offense at the basing of the decisions on possibilities of persons pleading guilty to civil rights law violations in state courts and thereby evading further action in federal courts.

"Don't they know this would be conspiracy?" Long asked. "If the state court and a citizen joined in collusion to defeat a federal statute they could be convicted and imprisoned," he added.

Long warned that this was a first step. "The courts eventually would be done away with," he said.

Segregation And Senators

LITTLE ROCK, Ark (AP) — Sen. Stuart Symington (D-Mo), mentioned as a possible Democratic candidate for president in 1960, pulled out of a speech at a state Democratic dinner here because the event will be segregated.

Symington was scheduled to appear with Speaker of the House Sam Rayburn (D-Tex) at the $10-a-plate Arkansas Democratic harmony dinner Friday night. A crowd of 4,000 is expected.

The senator said Wednesday at Easton, Pa., that he had told Arkansas party officials he would not be able to attend when he learned that Negro delegates would be seated at segregated tables.

WASHINGTON (AP) — Sen. Everett M. Dirksen (R-Ill) will not attend an Illinois State Society dance week here next month because invitations said only white graduates of Illinois colleges and universities would be honored at the affair.

The society lists Dirksen as a congressional vice president.

A spokesman for Dirksen said Wednesday night that the racial reference was indiscreet.

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ALFORD SEATING SEEN BY SOLON

No Rules Group Stacking Believed Under Way

By EDGAR POE
(Times-Picayune Staff Correspondent)

WASHINGTON — Rep. Edwin E. Willis of Louisiana, after attending a strategy meeting Friday of a fellow representataives of 10 other Southern states, expressed complete confidence that Dr. Dale Alford, the Little Rock independent Democrat will be seated and that there will be no serious effort made to stack the House rules committee.

There have been reports and predictions that a Dr. Alford, a segregationist, who beat veteran Rep. Brooks Hays in a write-in campaign with the backing of Gov. Orval Faubus, would not be seated in view of the recent action by the House elections committee.

Some Northern Democrats have been hinting that they would seek to add several new liberal members to the House rules committee. This committee determines what measures reach the floor for consideration.

BOTH CONSERVATIVES

Rep. Howard W. Smith, Democrat of Virginia, is chairman of the House rules committee, and the ranking Democrat is Rep. William M. Colmer of Mississippi. Both are conservatives.

A series of party squabbles with Northern liberal Democrats on one side and conservative members on the other has cropped up. But House speaker Sam Rayburn is expected to have everything under control when Congress convenes Wednesday.

Three new committees are scheduled to be created in the new session. Rep. Willis, a member of the House judiciary committee, said that the question of seating Dr. Alfred and the "stacking" or packing" the House rules committee was a paramount question before the Southern House members.

85TH DEAD

He said the recent recommendation by the House elections committee, which voted 3 to 2 to deny Dr. Alford a seat, had no bearing on the new 86th Congress. He said that the 85th Congress is dead. Thus, the recommendations by the committee have no standing with the new Congress, said the Louisianian.

"One report that a deal would be made relative to Dr. Alford's seating and change in the rules committee, is reprehensible," said Willis. "No deals of any kind are going to be made. That is pure nonsense. Evidently such talk was inspired by demagogery. I personally never felt that speaker Rayburn would be a party to any kind of a deal."

Most of the Louisiana and Mississippi members of Congress were expected to return to Washington over the week end. Several are already in the capitol.

ARKANSAS

DR. DALE ALFORD
REPRESENTATIVE

United Press International

Rep. Dale Alford (D-Ark.) and his wife confer with his attorney, Claude Carpenter Jr. (left), a former assistant to Gov. Orval Faubus of Arkansas, at a hearing held yesterday by the House Administration Subcommittee. The subcommittee is investigating charges of voting irregularities in the 1958 congressional election in which Alford defeated Brooks Hays.

Alford Says Headquarters Refused Photograph of Hays With Negroes

Post & Times Herald Washington, D.C.
Sat. 6-6-59

By Richard L. Lyons
Staff Reporter

Rep. Dale Alford (D-Ark.), write-in victor over Brooks Hays last fall, testified yesterday that the had had "absolutely no knowledge" of an unsigned picture circulated in Little Rock showing Hays with two Negroes.

Alford told a House subcommittee investigating the election that the picture "had been absolutely refused by our campaign headquarters." He called the picture charge, brought by a Little Rock weekly newspaper publisher, part of a "continuing campaign" by Hays to place Alford's House service "under a smoke screen of innuendoes."

John F. Wells, the publisher, stated that Alford's campaign manager, Claude Carpenter Jr., knew in advance about plans to print and circulate the picture. Carpenter, one-time aide to Arkansas Gov. Orval E. Faubus and present yesterday as Alford's attorney, didn't say whether he knew about it or not. He said he wasn't on trial.

The unidentified picture showed Hays at a convention of Negro Baptist ministers which he addressed as president of the Southern Baptist Convention. Hays is not contesting the election, but has urged the investigation to protect elections against such 'un-American" tactics. It is a Federal crime to circulate unsigned material in a Federal election.

Wells also contended in his complaint last December and repeated the charge yesterday that in several precincts more votes were counted than records showed were cast. He also offered affidavits stating that paste-on stickers bearing Alford's name were illegally distributed in some polling places by voting officials. He contended that the last minute campaign by Alford, a segregationist, was a "conspiracy" by Democratic Party leaders in the state, including Carpenter, to unseat the moderate Hays.

The subcommittee tentatively plans to go to Little Rock June 22 to examine the ballots which have been impounded for a Federal grand jury investigation. Ballot-stuffing in a Federal offense.

Wells said that Roy Finch Jr., an assistant attorney general, who ruled that the stickers were legal, at the time was a business associate of Carpenter.

Wells also stated under questioning that $2500 which covered most of the cost of his ballot survey was given to him by Hays' campaign treasurer, but was a personal check and did not come from campaign funds. Wells said he filed his complaint on the basis of his own investigation without consulting Hays.

Illegal Votes Put Alford In, House Is Told

World-Telegram + Sun. 6-5-59

United Press International.

WASHINGTON, June 4.—A Little Rock newspaper publisher charged before House investigators today that there were more votes than voters in Rep. Dale Alford's Arkansas election victory over former Rep. Brooks Hays.

John Wells, owner of the Arkansas Recorder, told a House elections subcommittee the number was more than enough to have changed the outcome.

Mr. Alford, a write-in candidate and an avowed segregationist, defeated Mr. Hays by 1256 votes last November. Both are Democrats.

Mr. Wells, who lodged formal charges of ballot irregularities with the House, told the subcommittee that 1548 persons who voted were not even listed on poll tax records. In addition, he said, 1512 per-

sons voted in wards and townships other than those on which they weer listed for poll taxes.

Arkansas law requires affidavits in such cases. But Mr. Wells said he could find no evidence of any affidavits in voting registers.

Mr. Wells, a segregationist himself but a supporter of Mr. Hays, told the subcommittee he objected to Mr. Alford's election because of the alleged voting irregularities, not because of the racial issue.

Arkansas' Dale Alford Got An Expected 'OK'

IN WASHINGTON a House committee came up with the conclusion that Dale Alford of Arkansas had legally beaten former Rep. Brooks Hays for his congressional seat. In going over the regular and write-in ballots, the committee threw out several hundred for Alford. More significantly, it threw out more of Hays' ballots than Alford's.

The committee realized that the people in Arkansas had spoken truthfully and effectively as to their desires. The

Dr. And Mrs. Alford . . . Election Day

Alford vote, quite apart from the matter of integration in Arkansas, was a refreshing display of popular sentiment rising of its own accord to be heard, apart from regular party machinations.

Interestingly the chairman of the House committee making the look-see was Robert T. Ashmore of Greenville, S. C., a member of the same family as Harry Scott Ashmore, editor of *The Arkansas Gazette*, who also of course hails from Greenville.

Alford seating may be balked by Demo bloc

BY DREW PEARSON

WASHINGTON, Jan. 3—Democratic Rep. John Blatnik of Minnesota and other liberals appear to have won a compromise victory in their drive to prevent the seating of Dr. Dale Alford, write-in segregationist victor over Rep. Brooks Hays of Arkansas, as a Democrat. With the approval of Speaker Sam Rayburn, the following plan has been worked out with regard to Alford:

He will not be invited to nor will he attend the caucus of House Democrats the day before Congress convenes. Nor will anyone move to seat him as a Democrat, at least with the approval of Rayburn.

THE NEXT DAY, when the full Congress convenes, Alford will be asked to stand aside while the rest of his colleagues, Democrat and Republican, are being sworn in. The Arkansas segregationist will later be sworn in himself, not as a Democrat, but just as a congressman.

It will then be up to Democratic members of the House ways and means committee to decide whether Alford is entitled to Democratic affiliation in his committee appointments and other privileges as tentative House member until the matter of fraud charges in his election victory over Hays is fully investigated by the House administration committee.

IN OTHER WORDS, the speaker is tossing the controversial case into the lap of the ways and means commitee, where a hot battle is in prospect between Northern and Southern Democrats regarding Alford's status. However, since Rep. Wilbur Mills, an Alford advocate, is chairman of the committee, the chances are that Alford will ultimately be granted Democratic privileges.

Alford Will Get Seat In House, Colmer Claims

Legislator Doubts Arkansan Can Be Opposed On Opening Day

20 SOUTHERNERS MEET

Successor To Hays May Face Trouble In Party Caucus But Will Probably Be Accepted As Democrat

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, Jan. 3.—Representative William M. Colmer (D., Miss.), Dixie House leader and dean of the Mid-South delegation, predicted Friday that Representative-elect Dale Alford of Little Rock will be seated when the House convenes next Wednesday.

The Mississippian, who met with about 20 veteran Southern House members Friday afternoon, said, "It now appears Dr. Alford will be seated."

A special House Elections Committee recommended 3-to-2 earlier this month that Dr. Alford be denied a seat pending an investigation of alleged irregularities in his Nov. 4 defeat of Representative Brooks Hays (D., Ark.).

"I'm now doubtful that any effort will be made to prevent him from being seated," Representative Colmer said, "though the question may come up at the Democratic caucus."

To Caucus Tuesday

House Democrats will caucus Tuesday, the day before the new Congress convenes.

"I don't see how the question can be raised in the House," Representative Colmer added. "After all, no one will have been sworn in then, and no one will be qualified to raise it."

Dr. Alford won't attend the Democratic caucus. "I wasn't invited, and I won't be there," he said. However, indications were that he will be accepted as a Democrat, despite Northern liberal protests that he ran as an independent and should be denied party affiliation.

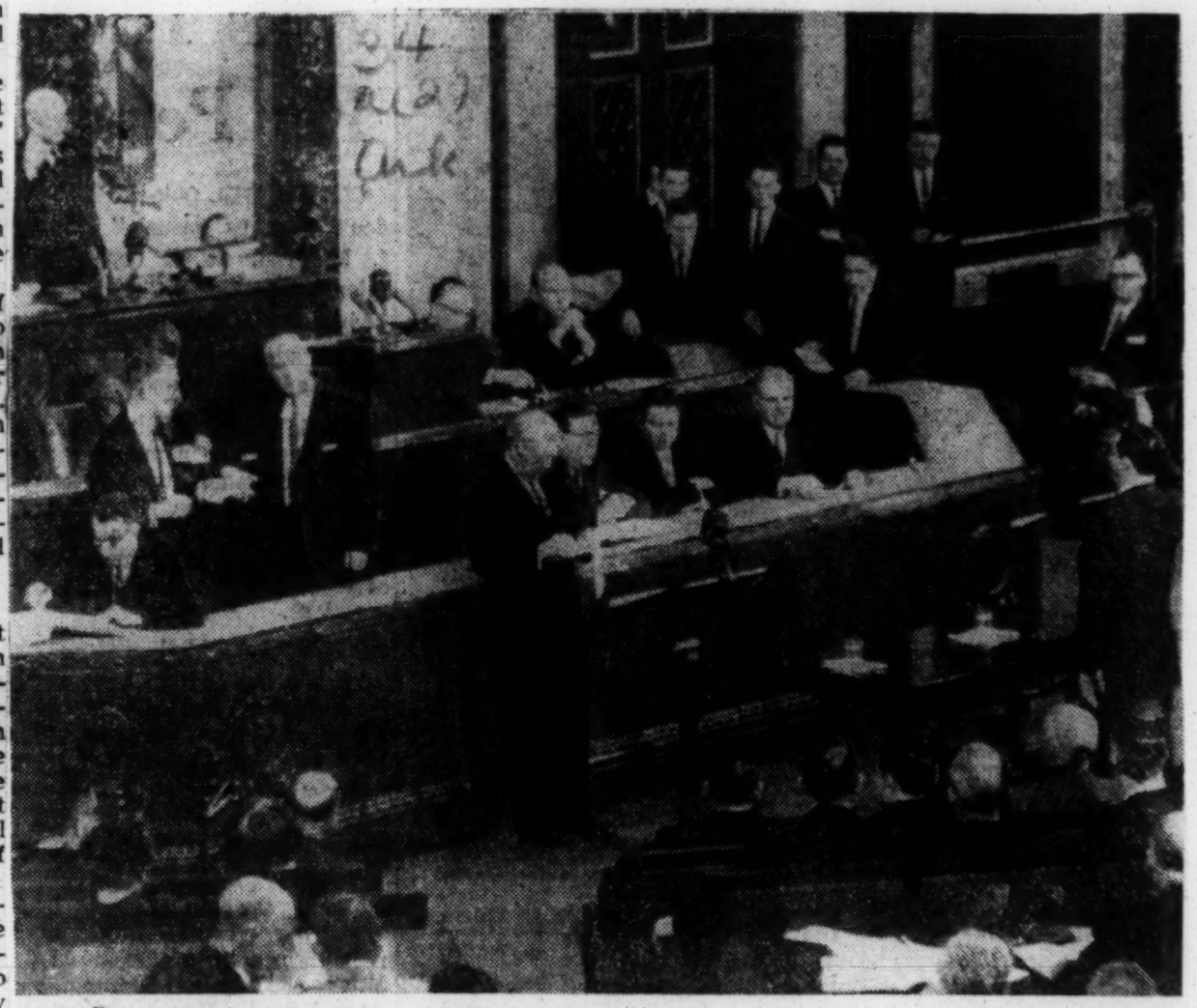
Mr. Colmer cited a number of precedents, among them Negro Representative Adam Clayton Powell of New York and former Representative Franklin D. Roosevelt Jr. of New York, both elected as Liberal-Labor candidates, and the late Representative J. Percy Priest of Tennessee, who was elected as an independent. All were accepted by the House as Democrats.

Leaders Settling Squabbles

There were indications that House Speaker Sam Rayburn (D., Texas) and Senate Democratic Leader Lyndon B. Johnson (D., Texas), both of whom returned here Thursday, have been active in trying to settle squabbles that threaten to split Democratic congressional ranks. Each has held a series of conferences.

Senator Johnson has been trying to resolve a fight over the Senate filibuster rule. Senate liberals want to change the rule so as to end debates by majority vote after 15 days. Eighteen Dixie senators, defenders of the present rule which requires the votes of 66 of the 98 senators, will hold a strategy session here Monday.

Senator Johnson is committed to a compromise that would permit debates to be shut off by two-thirds of those present. Senate sources predicted the "Johnson compromise" will be approved.



Associated Press Wirephoto

LITTLE ROCK SEGREGATIONIST IS SWORN IN AFTER BEING SNUBBED

House Speaker Sam Rayburn (Left) Administers the Oath of Office to Dale Alford

Alford Is Seated After House Snub

WASHINGTON P—Dr. Dale Alford of Little Rock was seated Wednesday as a member of the new House after having been asked to stand aside temporarily.

Alford, segregationist who unseated the veteran Brooks Hays (D-Ark) last November, took the oath of office alone after other members, on a voice vote, had adopted a resolution to seat him.

All the other House members were sworn in ahead of Alford. Speaker Sam Rayburn had directed him to stand aside temporarily after Rep. John Dingell (D-Mich) objected to Alford being sworn.

The resolution which authorized the speaker to administer the oath to Alford said:

"Resolved: The question of the final right of Dale Alford to a seat in the 86th Congress be referred to the committee on House administration, when elected, and said committee shall have the power to send for persons and papers and examine witnesses on oath in relation to the subject matter of this resolution."

The resolution was offered by Rep. John McCormack (D-Mass) immediately after Speaker Sam Rayburn (D-Tex) had administered the oath to other House members en masse.

When the House voted on the resolution there was a strong chorus of "ayes" and only a scattering of "nos."

After Alford took the oath many representatives, chiefly Southern Democrats, arose and applauded.

Alford Vote Report To U.S. Grand Jury

Justice Department To Turn Over FBI Findings

WASHINGTON, March 22.—(AP)—The Justice Department said Sunday it will present to a Federal Grand Jury in Little Rock Monday an FBI report on the election last fall of Representative Dale Alford (D., Ark.).

A department spokesman said the FBI had turned over a report to the department after investigating "specific complaints" about the election, in which Representative Alford ousted veteran Representative Brooks Hays (D., Ark.).

No details of what the FBI found can be made public now, the spokesman said. He added, however, he wanted to emphasize that the FBI had not on its own investigated the election but had acted on complaints the Government considered worth looking into, charging election laws were violated.

Mr. Alford has challenged the right of the FBI to investigate the election, saying it was a matter reserved exclusively to members of the House. He said the investigation was a "political persecution."

An outspoken opponent of school integration, Mr. Alford entered the Little Rock congressional race last November as a write-in candidate and defeated Mr. Hays by about 1,200 votes.

A special House committee made a brief investigation last December and voted 3-2 to recommend that Mr. Alford be denied his seat pending an inquiry into charges of election irregularities.

However, the House seated Mr. Alford and merely referred the question of a possible investigation to its Administration Committee. The committee so far has taken no action.

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Vivian Osborne Marsh Files for City Council

Mrs. Vivian Osborne Marsh, at the last moment accepted the request of friends to run for the City Council. Without any real campaign she received 12,000 votes out of 16,000.

Since then she has worked on Berkeley's Planning Commission, made up of 11 chosen members from the community by the City Council. They receive no pay, average 78 meetings a year, pay their own expenses. But they are the right hand of the City Council (Advisory committee) doing most of the research work for the Council, and directing the council's thinking on many matters of city Government.

She has served six years on this commission. Her record is proved by the fact that she is the only member living south of Dwight Way, and is now the Vice President of the Planning Commission and the present Chairman of the Board of Adjustments, the most important committee of the Planning Commission, which meets each first and third Wednesday evenings in the City Hall Chambers.

She is on the School and Recreation Joint Committee of the City and Schools. She is on the Joint Library Committee, composed of City and Library Trustees. They are now in process of moving the South Berkeley Library to a more central location, and will be there seeing that home owners who must lose their homes get a fair price. She served as Chairman of the Urban Renewal Committee during the pilot work of 1958 for South Berkeley, and was, and is able to get recognition for low income property owners and their problems to save their homes.

She has fought against the Ashby Freeway, which would make many old time residents in South west Berkeley lose their homes. She has fought against lawlessness in Southwest Berkeley, and was able to restore the good name of Grove Recreation Center by organizing the Grove Neighborhood Council, of which she is still the President.

She has served on the Board of the Berkeley Community Chest, the Berkeley YWCA, the Girl Scouts, South Berkeley YWCA-YMCA Youth Center on Russell and California Sts. She has for the past 15 years directed Red Cross, Community drives, and is now co-chairman for Berkeley on the Cancer drive.

She is past National President of Delta Sigma Theta Sorority, and now chairman of its Public Affairs Committee. She is Past State President of the California State Association of C. Women, Past Grand Matron Order of Eastern Star, member of long standing of the NAACP and YWCA. She has organized many Federated, Fraternal and Civic groups in the Bay Area. She is a member of Taylor Methodist Church, a graduate of Berkeley High School and the University of California.

She is the mother of the late Leon F. Marsh Jr., Berkeley fireman, Engine 3. She is the wife of Leon F. Marsh, Sr., retired Postal employee and Lt. in the U. S. Army. They live at 2838 Grant Street in a home whose doors are open at all times to friends and people who may need help.

She has lived in Berkeley for 46 years.

CALIFORNIA

3 Negroes go to election post in Oakland

OAKLAND — Three Negro candidates go to the post, seeking either councilmanic or Board of Education posts in the hotly contested nominating election here Tuesday. They are: Tom Berkley, lawyer and housing developer running for Councilman-at-Large; Pete Lee, teacher, for Councilman, First District; and Barney Hilburn, housing manager, for the Board of Education.

A heavy turnout of Negro voters, estimated at 26 percent of the population, could qualify Berkley, Lee and Hilburn for the run-off election, May 19. If any one of the three is nominated in next Tuesday's election, it will amount to an historic "first" in this city.

Berkley is facing five opponents, Lee and Hilburn, two opponents each. Only Berkley and Hilburn are attempting to unseat incumbents.

Berkley and Lee both have been endorsed by the Alameda Democratic Central Committee, whereas Republican Hilburn did not receive his party's nod.

Having waged the most aggressive campaign, Berkley is expected to qualify.

No Negro candidate is running against another Negro in Tuesday's election, and all three of those in the race may be voted for in all districts of Oakland.

A large Negro vote could compensate for the failure of three Negro candidates in the city of Berkeley election April 7.

BLOODY, BUT UNBOWED — Mr. and Mrs. Edward Atkinson can still smile after Atkinson's near-miss at becoming the first Negro city councilman in Southland history Tuesday.

Atkinson's campaign stimulated the biggest increase in voting in any Council district, and caused conservative forces, including Mayor Paulson and the Los Angeles Times to roll out the 'big guns' to defeat him. He got 15,121 votes, or 45.8 of the total, to three-term incumbent Charles Navarro's 17,861. (See story inside and editorial. "Our team is still red-hot")

Negroes in near-miss of their dreams coming true

B-U-L-L-E-T-I-N

Eddie Atkinson, returned yesterday from today's post-election relaxation at the daces (where he won $15) to take affront to winner Charles Navarror's smear of his campaign workers as 'radicals".

Atkinson said Navarro had congratulated him the day after election on the clean campaign he had conducted, and then turned around and smeared his workers as "radicals" and "Democrats".

Negroes came within 2,741 votes of attainment of many of the goals they have fought for since slavery on Tuesday, but though they lost in the defeat for the Citv Council of J. Edward "Eddie" Atkinson in the 10th Council race, they showed considerable political maturity lacking five months ago when Atkinson filed.

It was the biggest total vote rolled up, 32,982, in the history of he 10th Council district, the closest race incumbent Charles Navarro, who gained a third term, has ever had, and the increase over the vote cast in the primary election was the biggest in the city, 3400.

The 2nd district showed an increase of only 300 and the 13th 700. In addition, where Negroes voted, there was an almost complete shut-out of Navarro in favor of Atkinson.

Atkinson's election was thought so imminent that it pushed Mayor Poulson to the lengths or race baiting.

The Mayor used the prestige of his office the day before election to urge voters to get out and vote and turn back the "threat of minority groups."

Atkinson's campaign also inspired the Los Angeles Times to do three, almost consecutive editorials in favor of Councilman Navarro, although the newspaper was hard-pushed to say anything good about him, except that he had served two terms.

10 PERCENT BETTER THAN WHITE

The vote turn-out in Negro precincts was at least 10 percent better than that in white-dominated districts, but what counted heavily against Atkinson was the fact that the Japanese vote went almost solidly to Navarro; and the Negro vote would have to have been a wee bit higher for Atkinson to have gotten in.

Negroes also missed a chance to have disciplined the Fire Department by a "No" vote on the bond issue Proposition A. for new sta-

tions, which would have protested the continued 'brain-washing,' dehumanizing and silent treatment against Negro firemen in the department.

The Tribune disclosed in its issue of May 15, that all of the inhumane treatment of Negro firemen in continuing, and that the Department is trying to get lily-white by a "process of attrition" —only six Negro firemen have managed to get past the oral portion of the civil service examination since 1951 when the fight for integration began.

Of that number, only four have survived the probationary period.

But in spite of the Tribune's disclosures, plus the fact that the firemen were being converted by the Los Angeles Chamber of Commerce and other reactionary forces, with the consent of the City Administration, into a gigantic political task force to do precinct work for the favored issues, the Tribune was the only one of the three Negro newspapers or of the local dailies, urging a "no" vote on the bonds.

The measure passed by a narrow margin of 8000 votes.

Negro firemen told the Tribune yesterday that it had done the right thing, and that if the other Negro newspapers and the Negro leadership had cooperated in "taking something away from them (the Fire Department) that they wanted, they would have been willing to sit down and straighten out the integration matter."

They said white and Negro firemen alike are being brainwashed and intimidated by the 50-percent "oral" which controls just about everything "except our thoughts," and that they were forced to go door-to-door for the bond issue against their will.

Candidate Fails To Win Council Seat In Calif.

LOS ANGELES — (ANP) — The long-hoped for advantage of at least one Negro in the city council of Los Angeles faded last week when all returns were in from the municipal elections.

Votes were cast for two council seats, three amendments to salaries of city employes and for three members of the school board.

All eyes were on the councilmanic race between Eddie Atkinson, 48-year-old restaurant owner who had placed in the primaries against the white incumbent of the 10th district, heavily populated by Negro citizen. In the early hours, it looked like victory for Atkinson, one of the most popular men in the city with both races. The final returns, however, had Navarro beating him by a margin of 2,740.

URGED BIG VOTE

The 10th district extends from Ninth Street to the Baldwin Hills, and like the Eighth district, includes more whites than it did before the boundaries had been shuffled several years ago. However, the watchword which Atkins and his backers have been calling out during the hotly contested campaign has been, "Get out and vote and we will win."

It is said that if all the Negroes in the 10th district eligible to vote had gone to the polls, Atkinson would have won, and the Negro citizens would have had a much needed voice in the legislatve body of the growing metropolis, with its quarter of a million Negro citizens.

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ENGLAND

A First— Dr. David Pitts, 45, was the first Negro Labor Party candidate for Parliament in England. Dr. Pitts, who lives in London with his wife and three children, is a native of Grenada, West Indies.—European Photo.

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FLORIDA

VOTING EXPECTED ON RACIAL LINES

City May Elect 1st Negro As Councilman Since 1907

Times-Union

By J. C. GREEN
Times-Union Staff Writer

Results of Tuesday's second Democratic primary could give Jacksonville its first Negro city councilman since 1907.

Seasoned political observers give the two Negro candidates in Tuesday's runoff at least an outside chance of winning if there is a lighter than usual turnout of voters.

These observers feel that the two Negro candidates—E. D. Jackson and Samuel Bruce Sr.—could gain nomination if there is a heavier turnout of Negro voters and fewer white voters than in the first primary, held on April 21.

It can be expected that voting in the Jackson and Bruce races will be largely along racial lines, although the two Negroes are not without support in some of the white precincts.

An analysis of the April 21 results shows that Jackson, who has previously been a candidate for public office, drew at least 1,425 white votes, and probably more. Bruce, making his first bid for public office, had a minimum of 499 white votes.

Jackson, a 38-year-old attorney, faces W. O. (Oscar) Mattox, a railroad switchman and former deputy sheriff, in Tuesday's runoff for the Democratic nomination as councilman in the 5th Ward.

In a three-man first primary race, Mattox led the field with 14,869 votes. Jackson was second with 10,818. Third with 4,429 votes was labor official James J. Polston. Since the first primary, Polston has come out with newspaper ads supporting Mattox's candidacy in the runoff.

Jackson is not a newcomer to the political wars. He ran for the City Council 3rd Ward seat in 1955 and placed second in the four-man first primary contest. In the runoff, he was overwhelmingly defeated by veteran Councilman James M. Peeler, who piled up 21,066 votes to 11,587 for Jackson.

In May 1956, Jackson ran against Justice of the Peace Sarah Bryan for the Democratic nomination and defeated the incumbent.

Jackson's hopes of filling the office were dashed, however, when a suit was filed and the courts ruled that the five justice of the peace districts then in existence were unconstitutional. As a result, nine districts were set up and Mrs. Bryan got one of those nine seats in the Nov. 6 general election.

Bruce, a 30-year-old building contractor and World War II Marine Corps veteran, is seeking this year to unseat Peeler, a veteran of 16 years on the council.

Peeler topped the six-man field in the April 21 primary with 8,324 votes. Bruce tallied 6,960 votes for second place. The other four candidates garnered 15,194 votes among them.

Even if Jackson and-or Bruce should win the Democratic nomination, they would not be absolutely assured of taking office. It is conceivable that they could be defeated at the June 16 general election on a well-organized write-in campaign featuring a racial theme.

According to records in the city recorder's office, the last Negroes to hold elective office in the City of Jacksonville were George E. Ross, and J. Douglas Wetmore.

The records indicate that Ross and Wetmore were elected for three successive two-year terms, from 1901 and 1907. According to the records, Wetmore's office was declared vacant during his last term because he moved from the city, and F. W. Weinburg was elected to fill the vacancy.

Eartha M. M. White, founder and president of the Clara White Mission and an expert in the history of local Negroes, recalls that Ross and Wetmore represented whta then was designated as the 6th Ward, whose councilmen were voted on only on that ward rather than citywide, as is now the practice.

She also recalled that Charles C. Manigault, a Negro, served on the council around the turn of the century. Records at the recorder's office show that C. C. Manigault served as councilman from 1899 to 1901.

Eartha M. M. White, founder office show tht C. C. Manigault and president of the Clara White served as councilman from 1899 to 1901.

Mission and an expert in the his-

According to the "History of Jacksonville, Florida and vicinity, 1513 to 1924," by T. Frederick Davis, two Negroes were elected aldermen here in 1870. They were identified as W. T. Garvin and C. B. Simmons, the latter a clergyman. According to Eartha White, Simmons was first pastor of Bethel Baptist Church.

Davis' history said the 1876 election brought the first "entirely white city government in eight years," indicating there were either elected or appointed Negro officials as far back as 1868, two years before election of Garvin and Simmons.

Of 18 aldermen elected in 1887, according to Davis, 13 were Republicans and five of these were Negroes. They were not identified.

Davis said that in the 1887 administration of Mayor C. B. Smith, who headed the Composite ticket, composed of Republicans and Negroes brought into the city by annexation, there were five Negro aldermen. The municipal judge, 15 of the 23 policemen, two police sergeants, and the chairman of the board of police commissioners were Negroes.

According to records in the recorder's office, the municipal judge in 1887-1889 was Joseph E. Lee. Eartha White and other local historians recall that Lee was a Negro, described by one of these historians, a white person, as "trustworthy, humble, courteous and scholarly." It is said Lee subsequently was named U. S. collector of customs here and served in tha post for about 16 years.

Deluge Of White Votes Smothers Negro Candidates

Ala. Journal
Montgomery Ala.
Wed. 5-6-59

JACKSONVILLE, Fla. (AP) — White vs. Negro races for two city council seats brought out more Jacksonville voters for a runoff Democratic primary Tuesday than the first primary did two weeks earlier.

The big turnout of white voters dashed the hopes of Samuel Bruce and E. D. Jackson to be the first Negroes on the council since 1907.

James Peeler, a councilman for 16 years, defeated Bruce. Peeler had 24,631 votes to 12,165 for Bruce.

W. O. Mattox, former deputy sheriff, defeated Jackson. Mattox got 24,537 and Jackson 12,960.

Mayor Haydon Burns was re-elected in the first primary.

A general election is scheduled for June 16, but there are no Republican candidates for city offices.

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In Ga., Ala., Tenn., S. C.

GENERAL

4 Young "Segregationists" To Be Sworn As Governors

By WILLIAM A. SHIRES
United Press International

ATLANTA — (UPI) — Four men stamped from a new mold of southern politician take office within the next few days as chief executives of Alabama, Georgia, Tennessee and South Carolina for the next four years. — And all four are "segregationists."

They are the first of a new generation of southern governors who will lead their state into the 1960'. Three of the four are not over 40, and the senior member, only 51 himself, succeeds the youngest governor in his state's history.

• • •

THE MEN ARE John Patterson of Alabama, son of crime-fighter Albert L. Patterson who was slain in the infamous Phenix City assassination; Ernest Hollings who served as lieutenant governor of South Carolina; Ernest Vandiver of Gerogia who set his eye on the governorship as a schoolboy and Buford Ellington of Tennessee.

Ellington, although a veteran at the political game, was first elected to office only 10 years ago - winning a seat in the Tennessee legislature. Four years later he managed the gubernatorial campaign of youthful Frank Clement who was elected at the age of 33.

• • •

ELLINGTON BECAME Gov. Clement's agriculture commissioner, director of patronage and legislative liaison man. He also became Gov. Clement's heir - apparent for the governorship and, to some degree, will carry on the Clement administration.

Vandiver also managed a campaign for a previous governor, that of Herman Talmadge in 1948, but does not succeed Talmadge in the governor's mansion. Instead, Vandiver campaigned against corruption, waste and inefficiency which he charged had crept into Georgia government under Talmadge's successor, Marvin Griffin.

• • •

HE IS NOW only 40, but Vandiver's aspirations for the governorship were born early. He got a law degree, served in the Air Force in World War II and was elected mayor of Lavonia, Ga., in 1945. He later married a niece of Sen. Richard B. Russell. Talmadge made him state adjutant general and in 1954 he was elected lieutenant governor.

Hollings, who turned 37 on New Year's Day, entered politics in 1949 winning a state legislative seat and from there won a four - year term as lieutenant governor.

• • •

HE IS A graduate of The Citadel and of the University of South Carolina law school. He served as an army officer in World War II, and the Junior Chamber of Commerce has chosen him as one of the nation's 10 most outstanding young men.

Patterson's father, slain four years ago, had been nominated Alabama's attorney general. Young Patterson, then 33, was elected in his father's place.

• • •

IN CHOOSING to run for governor, Patterson pledged a fight against waste, graft and coruption. He walked the streets, note pad in hand, asking people what they wanted in a governor.

He is slim, youthful - appearing and in fact is Alabama's youngest chief executive. He served as a major in the field artillery in World War II and also served during the Korean conflict. He received a law degree from the University of Alabama.

• • •

ALL FOUR ARE Democrats. Vandiver and Patterson are Methodists, Hollings a Lutheran and Ellington once was a Protestant minister. Ellington also has been a farmer, general store proprietor and salesman with a "lifelong interest" in politics.

All are fathers and each likes outdoor activities.

2 Md. magistrates, 6 win in Chicago

BALTIMORE

Nine colored Marylanders, two of whom were appointed as magistrates in Baltimore city courts, were among the 199 given political plums by being named to city posts or to boards of state agencies when Gov. J. Millard Tawes announced his "green bag" appointments Wednesday.

Josiah B. Henry Jr., an attorney and veteran of the Democratic political wars was appointed an associate magistrate in Traffic Court, replacing Robert B. Watts, also an attorney and a Democrat, who had held the post for nearly two years.

Calvin H. Douglass, an assistant city solicitor, was named as a justice of the peace in the predominantly colored Fourth District and to replace Linwood G. Koger as magistrate at Northwestern police court in May.

* * *

IN CHICAGO, colored candidates showed great strength in that city's aldermanic elections with all six who were running winning posts on the 50-member city council.

Those elected are: William H. Harvey, 2nd ward; Ralph Metcalfe, 3rd; Claude Holman, 4th; Robert Miller, 6th; Kenneth Campbell, 20th, and B. F. Lewis, 24th.

A setback was suffered in the race for Democratic nomination as candidate for the important post of city clerk. Lemuel E. Bentley, an attorney and the first colored candidate to seek the office, was defeated 7-1 by the incumbent, John C. Marion.

"I KNEW YOU COULD DO IT!" That's what Mrs. Sadie Alexander, seems to be saying to her husband, Raymond Pace Alexander, who was successful in his bid for re-election in the Municipal elections last Tuesday when he secured his interim appointment to judge of the Court of Common Pleas for the next ten years.

2 win seats in assembly

NEWARK

For the first time in New Jersey history two colored persons will take Assembly seats when the Legislative session opens in Trenton in January. Both will represent Essex County.

They are Herbert Tate, a Republican and Newark attorney, and Mrs. Madaline Williams of East Orange, who will start her second term as a Democratic Assemblywoman.

Official Essex County returns from last Tuesday's election shows that Mr. Tate, former U.S. attache to Pakistan, polled 113,762 votes to come in fourth on the GOP ticket. He was the fifth strongest vote-getter in the Assembly race.

* * *

ASSEMBLYWOMAN WILLIAMS received 113,146 votes and was the second strongest Democratic candidate in the Assembly race. She ranked seventh among the 12 winning Assembly candidates.

The Republicans captured seven of the open Assembly seats from county Democrats.

Other colored candidates seeking county or state offices did not fare as well as Mr. Tate and Assemblywoman Williams.

In Essex County, Dr. Arthur C. Thornhill of Montclair lost out when the Republicans took all three freeholder seats. Also losing in the county were Miss Lorraine Hayes, independent Assembly candidate, and Otis King, an independent candidate for Sheriff.

* * *

OVER IN Union County, Leonard (Bud) Simmons, a member of the Roselle Board of Education, lost in a tight race for the Assembly. Mr. Simmons, a Republican, polled 76,612 votes, only 6,000 less than the candidate who led the race for the four Assembly seats.

Mrs. Ella Lawrence, a Jersey City school teacher, ran on the Hudson County Republican ticket for the Assembly but was defeated.

While the referendum in Newark to give a 15 per cent salary increase to police, firemen and Civil Service employees suffered an overwhelming defeat, the question lost by a close to 2 vote in the Central Ward.

VICTORY KISS — Mrs. Sarah Anderson, representative from Harrisburg, Pa., plants a kiss on the cheek of Judge Juanita Kidd Stout when returns showed she had been victorious in retaining her Municipal Court judgship flowing Tuesday's election. Looking on is former city solicitor Lawrence Prattis.

Kennedy Is Party's Front-Runner, But Nomination Is Not In The Bag

(This is the second of two dispatches in which a veteran Washington political reporter sizes up the presidential political situation one year before the Republican and Democratic nominating conventions.)

By RAYMOND LAHR
United Press International

WASHINGTON — With the 1960 political conventions just a year away, the Democrats have a field of seven potential candidates in the running for the presidential nomination. By convention time, there could be more.

State presidential primaries or the accidents of politics, however, could eliminate some of those now viewed as contenders before the delegates convene at Los Angeles July 11, 1960.

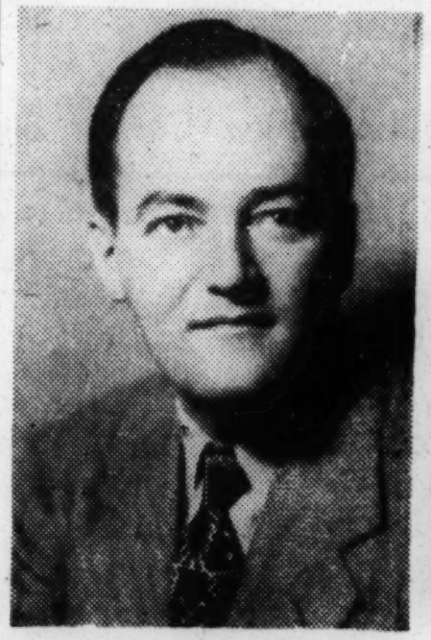
NONE HAS yet declared himself a candidate and none has a commanding lead. The current feeling among Democrats is that none will be close to having the nomination sewed up by the time the convention opens.

Here is the lineup:

Adlai E. Stevenson, defeated 1952 and 1956 nominee who says he is not a candidate and will not be nominated. He still has strong rank-and-file support and is considered a strong compromise possibility if the convention goes beyond the third ballot.

SEN. JOHN F. Kennedy (Mass.), who is now regarded as the front-runner and who has been steadily moving into position for the big try ever since he barely lost the 1956 vice presidential nomination to Sen. Estes Kefauver of Tennessee. A Catholic, he is handicapped in some areas by nervousness about the political impact of the religious issue.

The Democrats:



HUBERT H. HUMPHREY
Disliked By South

SEN. JOHN F. KENNEDY
A Slight Lead

ADLAI E. STEVENSON
Not, Running, He Says

Sen. Stuart Symington (Mo.), who probably has more "second choice" support than any other contender now. He would be expected to move up if the pacesetters falter on the second or third ballot.

HIS VOTING record aligns him with the New Deal wing of the party but the Southerners generally consider him acceptable. He was Air Force secretary and held other executive assignments in the Truman administration.

Senate Democratic Leader Lyndon B. Johnson (Tex.), like Stevenson, declares with apparent conviction that he will not be a candidate. How he is rated by convention time will depend largely on the public's attitude toward the record of Congress when it finishes its 1959 and 1960 sessions.

HIS REPUTATION as a miracle - worker has been smudged recently by the Republican assault on Congress under the leadership of President Eisenhower. His southern root will hurt him with delegates concerned about the the civil rights issue but will help with those worried about keeping the South in the party.

Sen. Hubert H. Humphrey (Minn.), who rates high with the liberal wing of the party but is almost persona non grata in the South.

HE WILL HAVE trouble mustering support as long as the shadow of a third Stevenson nomination hangs over the convention. However, he is preparing to challenge Kennedy in some of the state presidential primaries. The results could be fatal to one or both.

Gov. W. Mennen Williams, the still youthful six-term governor of Michigan. He is counted a very long shot, in part because he is tied closely to the CIO wing of the labor movement and is getting a does of bad publicity from a financial crisis in his home state.

GOV. ROBERT B. Meyner, has twice been elected chief executive of the normally Republican and pivotal state of New Jersey. He also is still classed as a long shot.

Among others who may move into contention is Gov. Edmund G. Brown of California, who led the Democrats in his state out of the wilderness in the 1958 election but now calls himself only a favorite son candidate.

ANOTHER is Rep. Chester Bowles, former governor of Connecticut, Federal Price Administrator and Ambassador to India, who is generating some interest but lacks a solid political base on which to build.

Political Round-Up

The Pittsburgh Courier

Negroes Win Key Spots In Off-Year Election

Pittsburgh, Pa.

11-14-59

Negro candidates registered both strength and weakness last Tuesday as the nation's voters went to the polls to vote.

Voting patterns were reflected by apathy in many sectors, with very few upsets.

■

NEW YORK CITY — In New York City, Adam Powell's political machine carried on despite his enforced absence . . . but General Sessions Judge Samuel R. Pierce lost out by 13,000 votes to the $34,500 post. He blamed his loss to the fact that Harlem voters would not split their ticket to vote for him.

Justice Darwin Telesford of Municipal Court led the Democratic ticket to win with 182,500 votes.

■

PHILADELPHIA—Judge Juanita Stout was elected to the Municipal Court bench, confirming her appointment to the post held by the late Judge Herbert Millen. Thomas McIntosh was elected to City Council from the 5th District and Rev. Marshall Shepard was re-elected Councilman-at-large.

Judge Raymond Pace Alexander was elected to a 10-year term on Common Pleas bench. Magistrate Amos Harris lost to his Democratic opponent.

■

NEWARK, N. J. — Herbert H. Tate was elected to New Jersey Assembly on GOP ticket through a "Vote Black" movement. Losers were Leonard Simmons, Dr. A. C. Thornhill and Otis W. King, who ran for sheriff.

■

PITTSBURGH — Councilman Paul F. Jones was re-elected to City Council as Democrats swept ticket in city and county. He was second among 4 to be elected.

■

CLEVELAND, Ohio — Negroes picked up another City Councilman . . . 8 out of 33 . . . elected Ralph Findley to the Board of Education and put Mrs. Josephine Walker on the Ohio State School Board in Tuesday's election.

In Council are Charles V. Carr (D), James H. Bell (D), Leo Jackson (D), John Kellogg (R), Lowell Henry (D), Theodore Williams (D), Augustus Parker (R) and Earl R. Hooper (D). Defeated was Jean Murrell Capers.

■

COLUMBUS, Ohio—Atty. Ragland H. Reid (R) and Rev. Russell M. Jones (D) both lost out for City Council as the GOP carried the city's top post. Reid polled only 36,879 while Westlake won as mayor with over 52,000 votes. Jones polled 43,756 votes.

■

CHICAGO—Judge Fred (Duke) Slater, former Municipal Court judge, was elevated to Superior Court in light voting here Wednesday as the Democrats swept the city by a 3-1 margin.

■

DETROIT — David Holmes, a shop committeeman for Local 235, UAW, was elected to fill seat vacated by death of Mrs. Charlene White. His election evens legislative seats at 55-55. Only 6,000 Negroes out of 70,000 registered voters went to polls.

■

CINCINNATI—Atty. Theodore Berry polled 44,083 to finish tenth in a nine-man race for City Councitl. Atty. William Lovelace finished 18th with 31,488 votes, and Rev. Mr. Henderson finished 26th with 21,625 votes.

■

TOLEDO, Ohio — Councilman James B. Simmons overcame his own party's opposition and was elected to his seventh term last week. Dr. Frank M. Brown became the first Negro ever to be elected to the Board of Education.

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GEORGIA

Staff Photo—Jerry Huff

ERNEST VANDIVER TAKES OATH AS STATE'S 73RD CHIEF EXECUTIVE FROM JUSTICE CARLTON MOBLEY AS 8,500 WATCH
(L-R) Mrs. Garland Byrd, Byrd, Mrs. Marvin Griffin, Griffin, Miss Sally Smith, Mrs. George Smith, Mobley, Vandiver, Speaker Smith, Mrs. Vandiver, Children

Vandiver Promises Battle For Segregated Schools

Atlanta Constitution

By GENE BRITTON

Samuel Ernest Vandiver became governor of Georgia Tuesday, vowing to preserve segregation and to reorganize the government to insure economy and honesty.

He told an estimated 8,500 Georgians present for the inauguration ceremonies his administration would be based on his campaign pledges of economy, reform, reorganization, integrity and the maintenance of racial segregation.

Lt. Gov. Garland Byrd pledged to back the new governor in his program.

Vandiver made an indirect attack on the administration of outgoing Gov. Griffin who sat on the platform. Griffin laughed and chatted with his wife and watched a television cameraman during most of Vandiver's remarks on Georgia's fiscal affairs.

Wed. 1-14-59 Constitution

Without naming Griffin, Vandiver said the surplus in the treasury a year ago stood at more than $35 million, but in "the last few months, yes, in the last few days, this surplus has dwindled and dwindled until it is down to a bare $2,600,000."

Just before leaving office Tuesday, Griffin claimed a projected state surplus for the fiscal year of $11,440,621.

Vandiver said it would be necessary to institute "drastic economies" to meet the financial "emergency."

He said he wants to assure "the old people of this state, our dependent children, our totally disabled, our blind, those receiving care and treatment at our state institutions, our schoolteachers and our educators" their needs would be "uppermost in my mind."

Wed. 1-14-59

NOW IS THE TIME

However, he said, the time is "now at hand to practice old-fashioned economy."

Vandiver warned that the state faces one of the most critical periods in its history. He said he faces some of the most crucial decisions any governor has for the past 100 years.

But he said his administration can be one which could "herald a dynamic new era in the government of this state."

A thorough reorganization of the government will be necessary, however, if an "honest dollar's value for a dollar honestly spent" is to be achieved.

He warned department heads in his administration to economize or else.

"If any department head, or any agency chief in the state government feels he cannot economize to obtain greater efficiency, then my suggestion to him is to stand aside and give someone else a chance to get the job done.

"I am placing every official and employe on notice, here and now, that I am expecting them, in the Vandiver administration, to conduct themselves as public officials and to conduct the people's business as the public business at all times."

The laws of the state apply to the public official as well as to the private citizen, he said, and "the highest official can expect no sanctuary in the governor's office if he flouts the law."

He also promised to "restore" the powers of the General Assembly, to work for a closer balance between agriculture and industry and a "proper diffusion of industrial growth over the whole state, especially in the smaller counties and . . . cities."

Lt. Gov. Byrd, in his address, drew applause when he predicted there may be those "who will try to test the new administration" but promised "we shall not yield one inch to those who seek to set aside the will of the majority of the people."

He promised to oppose any change in the county unit system and to "do everything in my power to preserve segregation in our schools."

The governor's inaugural address gave an outline of what his legislative program will be, but failed to deal with specifics. He said he would spell out his program to a joint session of the General Assembly at noon Thursday.

He drew the first applause during his speech when he ruled out any "token integration" for Georgia.

There's no such thing, he said.

WOULD BECOME DOWNPOUR

"They know, or should know, that the few raindrops of 'token integration' would become a downpour, a deluge and then a flood which would engulf the rank and file of our people," he added.

He drew more applause when he told his audience outside the Washington street entrance to the capitol: "My friends, we have only just begun to fight."

He added:

"The people of Georgia and their new governor say to the United States Supreme Court that we will fight this tyranny at every crossroads; we will fight it wherever it raises its ugly head, in these very streets, in every city, in every town and in every hamlet —until sanity is restored in this land."

WHATEVER THE COST

He said he is certain Georgians are determined "to stand by their rights and traditions, whatever the cost."

He charged some people in the state "in the last few weeks and months" have indicated they would "throw up their hands and cry surrender even before the enemy" arrives on the segregation scene.

The county unit system will also be upheld during his administration, he vowed.

"The people in every corner of this state can be assured that the full might of the state government will be utilized to oppose vigorously every effort to destroy it or to weaken the principles embodied in it."

PLEDGES COOPERATION

He promised to work with gov-

ernors of sister states to maintain states' rights.

Two of the men Gev. Vandiver promised to work with were on the inaugural platform with him. Visiting dignitaries included Gov. J. Lindsay Almond Jr. of Virginia and Gov.-elect. Ernest Hollings of South Carolina.

The flag-draped platform held seats for high state officials, relatives and close friends of Vandiver and Byrd. Directly in front of the speakers' stand stood the statue of Georgia's fiery statesman, Tom Watson, whose left arm was raised in a gesture of oratory suggestive of the occasion Tuesday.

GEORGIA'S GOVERNOR SCORES HIGH COURT

Special to The New York Times

ATLANTA, Jan. 16—Gov. Samuel Ernest Vandiver pledged in his inaugural address today to uphold the state's racial segregation traditions.

While thousands jamming the state capitol grounds cheered, Mr. Vandiver, who took the oath as Georgia's seventy-third Governor, said that "without doubt the decisions that must be made are the most difficult that any Governor has faced in the last 100 years."

Assailing what he termed the "judicial tyranny" in the outlawing of segregation, Mr. Vandiver declared:

"We know that a little band of willful men, sitting securely for life in the rarefied atmosphere of the nation's highest judicial tribunal, have attempted through the usurpation of power, not given to them by the Constitution of the United States, to mold the actions and thoughts, of not only the 40,000,000 people who reside in the South, but of every citizen in every section of this nation."

William Finch, Atlanta's First Negro Councilman Lives Again

It was through research and patient industry of Dr. C. A. Bacote, that those in attendance at the Hungry Club, and who later read excerpts in the newspaper, were fortunate to see a primitve figure of yesterday move in a drama that is now strutting this modern stage.

Surely, down this long time, this should be an inspiration to stir the voters of this age into their responsibility to our own time and problems.

William Finch comes upon the scene as an answer to the faith and industry of the Negro of Atlanta in the year our Lord, 1870. His annals would represent the first time in Atlanta that a Negro was elected to public office.

William Finch should not be one of the forgotten men of history, but a powerful moving factor in this struggle today facing this state and the entire southland around an issue which will succumb by the stroke of the ballot.

William Finch was not merely a member of council; a roll call respondent, an exhibited first and so on. He was active on his own rights, and was among those early pioneers who fought for the establishment of public schools for children in Atlanta. He had the good fortune in his early years in his native Wilkes county, to move among such early high personages as a Judge Andrews of Wilkes county, and later in the home of Georgia's first Chief Justice of the Supreme Court, Judge Joseph Henry Lumpkin, of whom it is said "no abler jurist ever sat on a bench."

Having been born in slavery time, he had some experience as a medical attendant in dressing wounds of Confederate soldiers during the Civil War and caretaking the property of his owner.

He was affiliated with the Big Bethel AME Church, still a powerful shrine on Auburn and he moved among such tall African Methodist timbers as Dr. Wesley John Gaines, Bishop Thomas Myers Decatur Ward and other illustrious pioneers of that struggling era.

The enactments of William Finch alone would well pay off Negro History Week. Dr. Bacote by his resourcefulness and diligent research has made a contribution. He would not leave William Finch among the forgotten men of Atlanta's history, but would pull him out of the sack-cloths and ashes of a dusty past, and step him along by the side of those who are today striving to answer the challenge now threatening the public school system of the South.

Thoughtful ones will no doubt move in the direction of having the next new school named for one whose efforts were in the setting up of the first public schools in Atlanta for Negroes.

34a(2) 1959 ILLINOIS

Floy Clement Seated As First Femme Legislator

"Our Fair Lady" was the theme in the air when Ald. Claude W. B. Holman and members of the Fourth Ward Regular Democratic organization gathered Monday to bid "Auf Wiedersehen" to Floy Clement, newly elected state representative.

Mrs. Clements, 4910 Washington Park, is the first Negro woman ever elected to the Illinois state legislature.

She was sworn in for her freshman term in the House at noon Wednesday, Jan. 7, at the Capitol building.

Mrs. Clements is a veteran member of the Fourth Ward Democratic group. Her nomination and election was strongly urged and supported by Alderman Holman, who is also Democratic committeeman of the ward.

A graduate of Wilberforce university, Mrs. Clements served in the ambulance corps of the American Red Cross during World War II.

She is a member of St. Mark Methodist church, 5001 S. Wabash Ave., and is a leader in its principal charitable organization, the Master's Queenly Reserves.

She has been prominent in the Order of the Eastern Star for many years, and is past matron of Electra Chapter No. 1, as well as past grand officer of Eureka Grand Chapter, State of Illinois Jurisdiction.

She has also served as grand travelling deputy of the Improved Benevolent Protective Order of Elks of the World, in which capacity she travelled widely throughout the state of Illinois.

Wishing the new legislator "Godspeed" on behalf of the group was Ald. Holman, who is completing his first term in the City Council and is a candidate for re-election in February.

He told the gathering, "Floy Clements' many years of service in civic groups, combined with her intimate and understanding knowledge of our district as well as the whole state of Illinois, guarantee that she will make the kind of record that will bring credit and pride to all of us."

Mrs. Clements served as Democratic committeewoman of the Fourth ward for many years, and held that post under four different committeemen. She has been a member of the Democratic Party since 1927.

List Shows Aldermanic Candidates

Following are city council candidates who have filed petitions of candidacy for the aldermanic primary election Feb. 24. Wards listed are those containing a heavy concentration of the Negro populace.

WARD 2
William H. Harvey, 3762 LAKE PARK; Robert M. Jones, 519 E. Oakwood blvd.

WARD 3
Ralph H. Metcalfe, 4530 S. Michigan.

WARD 4
Charles Armstrong, 5001 Drexel blvd. Peggy M. Smith, 1018 E. 46th st.; Claude B. Holman, 5200 University; Frank H. Green, 454 E. 56th pl.

WARD 5
Eric Melvin Korshak, 5333 Dorchester; Allen H. Dropkin, 5512 Everett; Leon Despres, 1220 E. 56th st.

WARD 6
Robert H. Miller, 7238 S. Parkway; Robert H. Holloway, 6947 Calumet; Leo R. Granger, 1422 E. 73rd st.; N. H. Simpson, 6530 Kenwood; Ruth C Porter, 6636 Minerva.

WARD 8
James A. Condon, 7817 Cornell
Einar Johnson, 835 Woodlawn
Vernon D. Crombie, 7931 St. Lawrence

WARD 17
John S. Sloan, 7707 Wabash; Albert L. Hobbs, 8043 Wabash; Arthur A. Slight, 7959 Princeton; William A. Rogers, 7350 Union; Raymond Earl Harth, 333 W. Marquette; Robert C. Watts, 7554 S. Michigan.

WARD 19
T. F. Fitzpatrict, 10056 Winchester; Margaret N. White, 1716 W. 103rd st; John Bates, 9206 Wentworth.

WARD 20
Kenneth E. Campbell, 727 E. 60th st.

WARD 24
Benjamin F. Lewis, 3547 W. 13th pl.; Jeff C. Alford.. 1654 S. Harding; John Valentine, 3534 W. 16th st.

WARD 27
Harry L. Sain, 3149 Washington blvd.; Carter Jones, jr., 2919 Warren blvd.; Ted La Pore, 1446 Polk

"OUR FAIR LADY" is theme as Ald. Claude W. B. Holman (left) and members of the Fourth Ward Regular Democratic organization bid goodbye to Mrs. Floy Clements (center) newly elected state representative. At right is Nick Melas, executive committee chairman. A veteran member of the Fourth Ward Democratic group, Mrs. Clements is the first Negro woman ever elected to Illinois State legislature. Defender staff photo

THE NEGRO DELEGATION to the 71st General Assembly includes the nine state representatives above, left to right: J. Horace Gardner, James Y. Carter, Cecil Partee, Charles Armstrong, Mrs. Floy Clements, Corneal Davis, K. E. Wilson, W. H. Robinson and Elwood Graham. All are from Chicago. All but Gardner, Robinson and Graham are Democrats. UPI photo.

Negroes Vie For Alderman Posts In 13 Ward Races

With filing dates for aldermanic candidates for the forthcoming elections a thing of the past, the party lines are now well defined and office seekers of the opposing parties can be expected to lambast each other in the few remaining weeks prior to the Feb. 24 elections.

Negro candidates are entered in at least 13 wards. In two wards, the Third and Twentieth, the incumbents are unopposed.

Following is a list of those 13 wards and all candidates in the race in those mixed wards.

WARD 2

William H. Harvey, 3762 S. Lake Park ave.

Robert M. Jones, 519 East Oakwood blvd.

WARD 3

Ralph H. Metcalfe, 4530 So. Michigan ave.

WARD 4

Frank H. Green, 454 East 46th place.

Claude W. B. Holman, 5200 So. University ave.

Peggy M. Smith, 1018 East 46th street.

WARD 5

Leon M. Despres, 1220 East 50th street.

Allen H. Dropkin, 5512 So. Everett ave.

Erle Melvin Korshak, 5333 So. Dorchester ave.

WARD 6

Robert H. Holloway, 6947 So. Calumet ave.

Robert H. Miller, 7238 So. South Park ave.

WARD 7

Nicholas J. Bohling, 7336 So. Bennett ave.

WARD 8

James A. Condon, 7817 So. Cornell ave.

John D. Hansen, 8109 So. Woodlawn ave.

Einar Johnson, 8356 So. Constance ave.

WARD 17

Raymond Earl Harth, 333 W. Marquette rd.

Albert L. Hobbs, 8043 So. Wabash ave.

William A. Rogers, 7350 So. Union ave.

Arthur A. Slight, 7959 So. Princeton ave.

John S. Sloan, 7707 So. Wabash ave.

Robert C. Watts, 7554 So. Michigan ave.

WARD 19

John Bates, 9206 So. Wentworth ave.

Thomas F. Fitzpatrick, 10056 So. Winchester Ave.

Margaret N. White, 1716 West 103rd st.

WARD 20

Kenneth E. Campbell, 727 East 60th st.

WARD 24

Jeff C. Alford, 1654 So. Harding ave.

Benjamin F. Lewis, 3547 West 13th pl.

WARD 27

Carter Jones, Sr., 2919 W. Warren blvd.

Ted Lapore, 1446 W. Polk st.

Harry L. Sain, 3149 W. Washington blvd.

WARD 42

Dorsey R. Crowe, 200 E. Chestnut st.

Raymond K. Fried, 227 E. Walton pl.

Bennett J. Johnson, 1150 No. Sedgwick st.

JOHN E. BATES (seated left), candidate for alderman of the 19th ward, accepts a Citizens' Citation from Mrs. Dorothy Perry of 9245 Princeton, in his home at 9206 Wentworth ave. Presentation launched c a m paign for the "Bates Boosters" to elect the first Negro to the city council from the 19th Ward. Bates was cited by the Boosters for his efforts to reduce crime in the area, improve streets and lighting and for his services as president of the Princeton Park Citizens Organization. Participating in ceremony were (standing) Julius Wilcher, W. Hawthorne, Walter Paige, Fred Johnson, Grover Mitchell, Leon Watkins, Jesse Albritton and Howard Patterson.

Cora Carroll Takes Title In Hot Race

CORA ELOIS CARROLL is the new Mayor of Bronzeville, according to official tabulation of votes in the 1959 Mayor of Bronzeville contest. She is the first woman to be elected to the office.

Mrs. Carroll amassed a total of 11,911,250 votes in the election to win the title of Mayor, a Gold Badge of Office, and an Official sports car, valued at $4,000.

The Contest, which began late in 1958, drew a total of 38,616,275 votes, the highest ever in the Bronzeville Mayoralty race.

The second prize, the title of Deputy Mayor or Bronzeville (Commissioner of Police,), $1000 cash and a Gold Badge of Office goes to Robert Allen, 5141 Ellis avenue, whose vote total was 9,811,950.

Third prize, the title of Bronzeville Fire Commissioner, $500 and a Gold Badge of Office goes to Fred Avendorph, 8739 Michigan avenue, who had a total of 3,838 375 votes.

Jack Sewell won the fourth prize, the title of Bronzeville Health Commissioner, $200 and a Gold Badge of Office for having a vote total of 3,077,425.

The remaining four top winners, all having more than 1,000,000 votes are Darrell Hunter, Johnnie Flet jr., Elliot Jordan and Wilson Brown, jr. They will receive, respectively, merchandise valued at $125, for Hunter, and $100 for the other three winners or they may accept cash.

Mrs. Carroll had campaign managerial help from Mrs. Irene McCoy Gaines and coupon parties were given by the Association of Business and Professional Women and the Fabulous Misses.

When advised of her election Mrs. Carroll expressed sincere appreciation to all persons who helped her, and promised to do everything in her power to make the Office of the Mayor of Bronzeville a real value to the community.

CORA E. CARROLL
Mayor
11,911,250 votes

Chicagoans clamor for colored judge

CHICAGO (ANP) — The Chicago Urban League of Voters on Friday began circulating petitions here to secure 100,000 signatures calling upon the Cook County Central Committee of both the Democratic and Republican parties to include some colored citizens among the 29 candidates to be slated by each party for Superior Court justices in August.

"Never has there been a colored judge of the Supreior Court in Cook County," recalled Albert Janney, executive director of the League. "Members of Chicago's Jewish, Irish, Polish, Italian and other communities have been nominated by the Republican and Democratic parties for the Superior Court. Why shouldn't some well - qualified colored person also be honored at this time?"

"There are many well-qualified colored attorneys in Chicago willing to serve. Colored voters shall not long continue to support any party which blatantly refuses to recognize our right to equal political representation," Mr. Janney said.

Fail To Add 3 Negroes To City Council

Bids by the Negro citizens to increase their racial representation in the city council failed on Tuesday although the Democrats picked up eight seats to bring their total to 45.

Lemuel E. Bentley also lost his bid to become the city's first Negro to be nominated for a city-wide office. He was beaten 7 to one for the city clerk post by the incumbent John C. Marcin.

Other Negroes who sought to become the first Negro city councilmen from their respective wards and were defeated are:

Carter D. Jones of the 6th Ward; Bennett J. Johnson of the 42nd Ward and John Sloan and Atty. Raymond E. Harth of the 17th Ward.

Six Negroes scoring city council victories in the election are William Harvey of the 2nd Ward; Ralph Metcalfe, 3rd; Claude Holman, 4th; Robert H. Miller, 6th; Kenneth Campbell, 20th and Benjamin F. Lewis, 24th.

Slightly better then 42 per cent of Chicago's voters turned out to cast ballots.

Lack of issues and opposition for incumbent candidates was blamed for the small turnout.

The Board of Election Commissioners estimated that about 774,000 of the city's 1,835,224 registered voters took the trouble to go to the polls.

Democratic Mayor Richard J. Daley paced his party's ticket, as did Republican Timothy Sheehan.

As a result of the election there will be fewer Republicans aldermen in the city council than in any time in recent years.

The People's Choice

THREE VICTORS and one loser in Tuesday's aldermanic elections are in these photos. At top left, in 6th ward race, victorious Robert H. Miller a Democrat, (right) is congratulated by his defeated Republican opponent, Atty. Robert Holloway. At top right, Democratic Alderman William H. Harvey, who won re-election in the 2nd ward, celebrates with supporters. In photo just above, 8th ward victor James A. Condon, a Democrat, celebrates his victory over incumbent Republican Elmer Johnson. Defender Staff Photos

One Vote Cost Wilson GOP Bid

Arthur Wilson, well known GOP leader and Certified Public Accountant, lost by the margin of one vote the Republican nomination as candidate for city clerk, it was disclosed Monday.

Wilson is a member of the Chapman GOP slate-making committee and is a supervisor of Auditors in the Illinois Department of Revenue.

His name was put in the hopper for city clerk by a group of Southside Republican leaders including, William Robinson of the 2nd ward, Horace Gardiner of the 20th, William King of the 3rd and Frank Green of the 4th.

This marks the first time that the Republican slate-makers have given serious consideration to naming a Negro as candidate for a major city office. Wilson who is the GOP leader in the 6th ward has received many Republican honors and was a member of the Federal Assay Commission by appointment of President Eisenhower.

Seek To Place Negro On Ballot For Judgeship

CHICAGO. — (ANP) — The Chicago Urban League of Negro Voters last Friday began circulating petitions to secure 100,000 signatures calling upon the Cook county central committees of both the Democratic and Republican parties to include some Negroes among the 29 candidates to be slated by each party for Superior court justices in August.

"Never has there been a Negro judge of the Superior court in Cook county," recalled Albert Janney, executive director of the League. "Members of Chicago's Jewish, Irish, Polish, Italian and other communities have been nominated by the Republican and Democratic parties for the Superior court. Why shouldn't some well qualified Negro also be honored at this time?

"There are many well-qualified Negro attorneys in Chicago willing to serve. Negro voters shall not long continue to support any party which blatantly refuses to recognize our right to equal political representation."

Petition For Negro Superior Court Judge

Chicago, Ill., April 27 — The Chicago League of Negro Voters began circulating petitions to secure 100,000 signatures calling upon the Cook County Central committees of both the Democratic and Republican Parties to include some Negroes among the 29 candidates to be slated by each party for Superior Court Justice in August.

"Never has there been a Negro judge of the Superior Court in Cook County," recalled Albert Janney, executive direction of the league.

"Members of Chicago's Jewish, Irish, Polish, Italian and other communities have been nominated by the Republican and Democratic parties for the Superior Court. Why shouldn't some well qualified Negro also be honored this time," Janney asked.

"There are many well-qualified Negro attorneys in Chicago willing to serve. Negro voters shall not long continue to support any party which blatantly refuses to recognize our right to equal political representation.

"Interested labor, business, organizations, and individuals are urged to contact the Chicago League of Negro Voters at 166 W. Washington, Rm. 516, or call FInancial 6-7344 for petitions to be circulated and returned. A delegation will submit these petitions to the County Central committees of both parties when they convene in August to select candidates for the November Superior Court election."

Negro Aldermen Have Much In Common: Harvey Oldest

By JIM FOREE

Anyone who talks with the six Negro aldermen who last week were sworn in as members of the City Council is impressed with the many things which they have in common.

A chat with them discloses that each is married, is an active member of a church and is passionately interested in the problems which face their wards and the city.

A Chicago Defender reporter interviewed the aldermen to find out what they have done and what they hope to do for their wards and Chicago.

Comments made by Ald. William H. Harvey are included in this article. Remarks by the other five aldermen will be reported in subsequent stories.

Harvey, of the Second ward, is the oldest councilman — in point of years served. He first was elected to the Council in 1943 and has served continuously since then.

He heads a ward of some 75,000 persons, with about 36,500 of them being registered voters. Boundaries of the ward are roughly 22nd st. on the north, 40th st., on the south, Wentworth on the west and the lake on the east.

A predominately Negro area, the ward has experienced in the past few years a tremendous change in housing. Many old homes have made way for new high-rise public housing projects. Among them are the Harold E. Ickes project at 22nd and State st., the Dearborn Homes at 26th and State, the Stateway Garden project at 35th and State and the Ida B. Wells project at 37th and South Parkway.

Also located in the ward is the huge Lake Meadows housing development, built by New York Life Insurance company. In the process of being constructed is the Prairie Shores development, a product of the Michael Reese hospital.

However, despite the large number of housing projects which have changed the face of Harvey's ward, the alderman said housing and redevelopment still are problems which he must solve.

Harvey said his concern now is for housing for middle-class people.

"I would like to see some non-profit and coop-housing for the middle class," he said. "Also some small private homes."

Housing and redevelopment problems will occupy much of the attention of Harvey.

He is well situated to deal with this problem, being a member of the City Council Planning and Housing Committee. Other committees which he will serve on for this term of the council include: Finance, Police, Fire Schools, Civil Service and Municipal Institutions. He also is chairman of the Health committee.

Harvey includes among his achievements as alderman the enactment of a fair employment law relative to city contracts and a non-discrimination hospital low.

Harvey was educated at Lincoln (Mo.) university. He and Mrs. Harvey have a 10-year-old daughter, Millicent.

The alderman is an active member of Olivet Baptist chuch, but like most politicians he attends many others.

Aldermen Take Oath— Mayor Richard J. Daley, far left, is shown swearing in five of Chicago's six Negro aldermen at special ceremonies in City Hall. Next to Mayor Daley is Benjamin Lewis, 24th Ward; third from left, Robert Miller, Sixth Ward; then William Harvey, Second Ward; Ralph Metcalfe, Third Ward, and Claude W. B. Holman, Fourth Ward.—ANP Photo.

Peoria Gets First Negro Councilman

PEORIA, Ill.—A native of Alton, Ill., who came to this town five years ago after being discharged from military service, has become the first Negro to win a seat on the City Council here.

Appointed to fill the two-year unexpired term of William W. Kump, who resigned, was 37-year-old Dr. James B. Stafford, an optometrist.

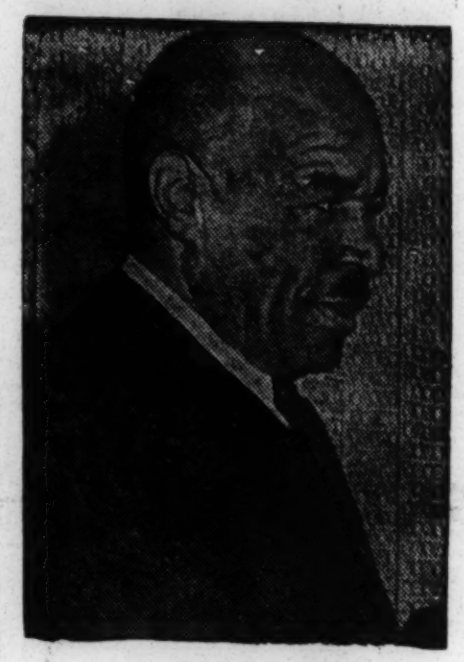
Generally regarded as a compromise candidate, Dr. Stafford, father of two, had his name placed in nomination by Mayor Eugene Leiter. He won the appointment on the third ballot by a 5 to 2 vote.

Commenting on his appointment, Dr. Stafford said, "I feel that such an appointment as this certainly will help promote better human relations in our city."

Dr. Stafford served in both World War II and the Korean conflict. He was released as a first lieutenant.

Nominated For Chicago Judgeship

Chicago, Ill.—Judge Fred W. 'Duke' Slater of Municipal court was among two Negroes singled out to



JUDGE SLATER

run for a $25,000 6-year Superior court judgeship in the No. 3 elections.

Slater, former football great of the State University of Iowa was nominated by the Democrats. Another Negro, Atty. George S. Barnes, was nominated to run on the Republican ticket.

Six Negroes Win Elections

CHICAGO — Negro candidates showed tremendous strength in Tuesday's aldermanic elections here, all winning election to the 50-man City Council.

In all, a total of six were elected.

They are Alderman William H. Harvey, Second Ward; Ralph Metcalfe, Third; Claude Holman, Fourth; Robert Miller, Sixth; Kennety Campbell, 20th, and B F. Lewis, 24th. All except Lewis represent the predominantly Negro populated South Side. Lewis represents a section of the West Side.

The lone setback was suffered by Lemuel E. Bentley, attorney, who lost a bid for Democratic renomination for city clerk, one of the most important political posts in the city.

17 seek Chicago aldermanic seats

CHICAGO (ANP)—The political pot, on the southside of the city, threatens to boil over as the aldermanic races heat the dog days.

The leading contenders for the Feb. 24th "aldermanic prize" are: Ald. Ralph H. Metcalfe, 49, who represents the 3rd Democratic ward; Ald. Kenneth Campbell, 53, Democratic 20th ward committeeman, called Rep. Dawson's top lieutenant; Ald. William Harvey, 52, who has been 2nd ward alderman since 1943; Robert H. Miller, Democratic ward committeeman, and Mrs. Ruth Porter, former executive secretary, South Central branch, American Cancer Society.

Miller and Mrs. Porter are vying for the post in the 6th ward. If either wins out against the other he or she must then beat Robert Holloway, a 40-year-old assistant state's attorney, who is being backed by the ward's Republican organization.

All of the principals listed are colored. Altogether, 17 are candidates in the aldermanic races.

RECORD NUMBER OF NEGROES OF BOTH PARTIES FILE FOR CITY, LEGISLATIVE OFFICES IN MAY 26 JEFFERSON COUNTY PRIMARY

A record total of seven Negro candidates from both parties filed for office in the Jefferson County Clerk's office last week.

Filing in the Republican primary were Atty. Neville Tucker who is seeking the representative seat, 42nd Legislative District, and Jesse Warders, real estate broker, who filed for the Board of Aldermen, 10th Ward.

In the Democratic primary, candidates running on the Waterfield slate are Louis Olive Sr., alderman, 8th Ward; Dr. Adam M. Robinson, representative, 42nd Legislative District; and Mrs. Nan Rodgers, 951 Preston St., representative, 38th Legislative District.

Filing for office on the regular Democratic ticket were W. W. Beckett, incumbent alderman, 8th Ward, seeking his 5th term; and William H. Childress, 1428 W. Madison St., representative, 42nd Legislative District.

James Taylor, real estate broker and developer, is campaign manager of the candidates running on Waterfield's ticket.

A Capsule of Candidates

William W. Beckett, 1026 W. Walnut, is running for re-election on the regular Democratic ticket. The veteran lawmaker, seeking a record-breaking unprecedented 5th term as Alderman from the 8th. Ward. Alderman Beckett is a funeral director by profession and operates the W. W. Beckett Funeral Home at 1026 W. Walnut. Alderman Beckett is married and the father of three children, two girls and one boy. Alderman Beckett is a member of the Omega Phi Psi Fraternity, Frontiers of America, and Morticians Associations.

Jesse Warders, 41, 2524 W. Chestnut St., real estate broker, filed for Board of Aldermen, 10th Ward. He is married and has one son. Born in Russellville, Ky., Warders has spent most all of his life in Louisville. He is a graduate of Central High School and Indiana University. He has done advanced study at Indiana U. He s vice president of Louisville's Real Estate Brokers' Association, regional vice president of the National Association of Real Estate Brokers, member of Louisville Board of Insurance Agents, Alpha Phi Alpha Fraternity, Chestnut Street Branch YMCA, and Boy Scouts of America. Warders ran for the Board of Aldermen in the same ward two years ago.

Lewis Olive, Sr., 1040 Cedar Court, filed for the Board of Aldermen, 8th Ward. A member of Plymouth Congregational Church, Olive has been a waiter for a number of years. He has been a member of the Board of Managers of Chestnut Street YMCA since its reorganization 13 years ago. He is a Scout Master, Plymouth Settlement House, chairman of the Boys' Work Committee, Chestnut Street YMCA, and chairman of the current membership drive. He is the father of Lewis Olive, Jr., the first Negro from Louisville to graduate from the United States Military Academy. Olive sought office some time ago as a protest movement to the organization's policy of not supporting a Negro candidate.

Neville Tucker, 1625 W. Kentucky, attorney, is a graduate of Livingston College, Salisbury, N. C., Central High School, and U of L Law School in 1956. He was admitted to practice in the Federal District Court in 1956 and the Circuit Court of Appeals in 1957. He is a member of Alpha Phi Alpha Fraternity, Phi Alpha Delta Law Fraternity, ex-president of the NAACP Youth Council, and served in the armed forces from March 1957 to February 1959.

William H. Childress, 1428 Madison St., has filed on the regular Democratic ticket for representative, 42nd Legislative District. He is a deputy Circuit Court Clerk, is single, age 45, and has live in Louisville since 1936 when he moved from Nashville. A graduate of Fisk University with an A.B., major in economics, Childress started his career in Louisville in 1938 when he became a probation officer in Jefferson County Juvenile Court. He worked here until 1942 when he went into the armed services. He served in the armed forces from June 1942 until October 1945. He served with the 9th Air Force overseas. Childress returned to his post as probation officer when he returned from service. He transferred to his present job in 1952. He made one other attempt for the Legislature in 1947-48 and lost the bid for office by 89 votes.

Dr. Adam M. Robinson, 2108 W. Broadway, filed for representative, 42nd Legislative District, on Harry Lee Waterfield slate. Married, with five children, this is Dr. Robinson's first try for office. A native of Louisville, Dr. Robinson was educated at Central High School, Indiana University, and Howard Medical School. He is a member of the Chestnut Street Branch YMCA, the Indiana University Alumni Chemical Society, Alpha Phi Alpha Fraternity, Falls City Medical Society, and is president of the medical staff of the Red Cross Hospital.

Mrs. Nan Davis Rodgers, 951 Preston St., filed on Waterfield slate for representative, 38th Legislative District. Owner of Rodgers Funeral Home, Mrs. Rodgers attended primary and high school in St. Louis, Mo., majored in music at Howard University, and is a graduate of the Moler College of Cosmotology. She is a member of the board of directors, East End Day Nursery of Louisville, is vice president of local Funeral Directors Association, a member of the public relations committee and Red Cross Hospital Auxiliary, and ex-member of the executive board of NAACP, YWCA, and Fifth Street Baptist Church.

ALDERMAN William W. Beckett and William Childress file for offices with the Jefferson County Circuit Clerk as did five other Negro candidates. Beckett is seekin a fifth term as Alderman and Childress is seeking a legislative seat.

Attorney seeks seat in Ky.

LOUISVILLE, Ky. — Neville Tucker, an attorney, is seeking the seat on the state legislature being vacated by Dr. F. S. Anderson, pastor of Broadway Temple AME Zion Church since 1948.

Dr. Anderson announced that he would not seek re-election because of the pressure of church work. Mr. Tucker is also a member of the AME Zion Church.

His father was Bishop C. E. Tucker; his mother, Mrs. Amelia Tucker, is still active in church work. The election is set for November.

RAINACH PLANS GOVERNOR RACE

Officially Announces at Homer Event

HOMER, La. (UPI) — State Sen. William M. "Willie" Rainach, Louisiana's segregation leader, officially announced his candidacy for governor Thursday.

The 44-year-old Claiborne parish legislator told a crowd gathered in the courthouse square for observance of "Willie Rainach Day" that "we are not going to let the federal government run our schools."

And in his plea for votes, he said "we can do a lot to improve the situation in Baton Rouge."

Rainach told the 2000 people who came out to honor him for his 20 years of service n the government that he surprised the state's politicians and Gov. Earl K. Long when "they tried to put those voting bills through the legislature."

HEADED VOTE PURGES

Gov. Long, who draws many votes from Negroes and illiterate whites, tried to pass two amendments to relax the state's stiff registration laws. Rainach led the successful fight against them. The senator also has bossed voter roll purges which eliminated thousands of Negroes and whtes from the voting rolls.

Rainach, chairman of the joint legislative committee on segregation, also blasted labor leaders Jimmy Hoffa and Walter Reuther as "leaders of the integration movement and therefore enemies of the South."

"I will not permit them to ruin this state. They are not going to integrate Louisiana or bankrupt our state government like they did Michigan," he said.

Rainach said a group of Negroes voluntarily solicted funds for this campaign Wednesday. He said he was a friend of the Negro. About 100 Negroes were in the crowd, segregated from the whites. A few of them applauded the candidate, but most did not raise a hand.

LONG POT SHOTS

The senator took several verbal pot shots at ailing Gov. Earl Long. "We have won many battles without the support of the executive branch of the government," he said, "but we must have the support of that branch if we continue to win the battle kor segregation and state's rights."

Rainach outlined the important points of his platform. They included continued segregation in the public schools, holding a line on taxes with a possible tax reduction, more home rult for the parishes with less interference from Baton Rouge, and a fight against efforts of Northern and Eastern labor bosses to move into Louisiana.

He pledged himself "to the maintenance of the right of our state to resist federal aggressiin and I pledge myself to wage a

SEN. WILLIAM RAINACH

continuous batti against the aggression and dictatorship as established by the federal courts.

SHAW IS PRESENT

"The continuance of our public school system itself depends upon this great issue," he said.

Rainach said he would announce his running mates for the coming campaign at a later date. Two possibilities were present at the "Willie Rainach Day" observance. They, are William Shaw, chief counsel for the senator's segregation committee, and Rainach's lieutenant in the house, Rep. John S. Garrett, who is head of the state's White Citizens Councils. 3

RAINACH LISTS HIS PLATFORM

Gubernatorial Candidate Makes Promises

State. Sen. William M. Rainach, candidate for governor, has listed a 14-point platform.

Rainach, a staunch segregation candidate, is running with Cy Courtney as a lieutenant-governor candidate.

Here is Rainach's platform:

1. Responsibility in state government—I will restore honesty, dignity and responsibility o our state government.

2. Taxes and fiscal management—I will actively oppose any raise in taxes and will reduce the cost of state government through honest and efficient administration of state fiscal affairs and consolidation of state agencies.

3. Industrial expansion — I will encourage all forms of industry to locate and expand in Louisiana by creating a spirit of trust among government, industry and labor and fostering the developmen of our unlimited natural resources.

4. States' Rights and segregation—I am unequivocally for States' Rights and segregation of the races and will interpose the soverignty of the state to maintain them.

5. National Democratic party—I believe that the Louisiana Democratic party belongs to the people of Louisiana, not to the radical leaders of the Democratic national committee, and I will insist on the right to name our own officers and support only candidates who represent the views of Louisiana.

6. Labor — I have always fought for the individual rights and advancement of the laboring people of Louisiana. I will protect the rights of the individual worker to organize and bargain collectively. I will do my utmost to eliminate labor racketeering and the abuse of power by union officials. I will support legislation outlawing secondary boycotts and blackmail picketing and punishing the use of violence or threat of violence by either side in labor disputes.

7. Education—I have always believed that education is the key to progress in our state. I will therefore insist upon the improvement and expansion of our grade schools, high schools, special schools and colleges. I will work to fully implement Act 3 of 1956 teacher salary increases and commensurate increase for other school employes and to provide a stable and continuing source of funds for teacher salaries and all other educational requirements.

8. Agriculture — I will institute a vigorous program for the fullest development of our basic industry, agriculture including the raising of crops, cattle and dairy farming and forestry.

9. Ports and highways — I will give full support to the development of our great ports and to the continuation and expansion of our state highway system, since I know that trade and transportation are basic to our prosperity.

10. Old age assistance — I have the deepest sympathy for the old people of our state, most of whom are innocent victims of uncontrolled inflation. I will not only strongly support our old age assistance program, but I will work to reduce the growing diversion of welfare funds from old age payments to the support of immoral parents of illegitimate children.

11. Hospitals and institutions —I believe that our state hospitals and institutions—medical, mental and correctional—should be administered and operated on an economical, humane basis and specialized institutional facilities should be provided for alcoholics and narcotics victims. Taxpayer savings from decreased medical and mental patient loads should be accomplished through expanded outpatient treatment and preventive medicine programs.

12. Wildlife and fisheries—I will support a vigorous and expanded wildlife and fisheries program and will appoint to the wildlife and fisheries commission only members who are qualified under the laws of this state and dedicated to the conservation and advancement of wildlife and fisheries.

13. Civil defense—I advocate a strong statewide civil defense organization working with local governing bodies for the protection of our people during times of emergency brought about by natural or man-made disaster.

14. Local self government—I believe in home rule with local responsibility. I will work to return to the parishes and municipalities those authorities and responsibilities which have been usurped by the state and federal governments.

Atty. Wheeler Making Strong Bid For Seat

Lawrence Wheeler, young attorney, is seeking the post of Representative of the Second Ward in the coming December 5th Democratic Primary Election. No stone should be left unturned in supporting Attorney Wheeler in his first political effort for public office. He is prepared for the office in which he seeks. He is a product of the Second Ward and has a keen concern for the masses of the people in the ward and throughout the state.

Endorsements are coming in from church, labor, civic, fraternal, social and educational groups, praising Attorney Wheeler for his foresight in seeking public office. Attorney Wheeler recognizes the task

that he will shoulder in this effort but feels that if the Negro is to take his place in America as a first class citizen, he must get involved in politics. He must not only get involved, but he must become a part of the political machinery of government.

Ernest J. Wright of the Peoples Defense League, Attorney Earl J. Amedee, Rev. Dave A. Dennis, Carlton Pecot, Carrol Bolding, Labor Officials, and a host of other leaders are vigorously working in Wheeler's behalf.

Colored City Councilmen In Baltimore

From 1891 to 1931, a 40-year period, six colored men were in the Council and there were only 10 years of that 40-year period during which no colored man was in the Council. After 1931—25 years passed before another colored councilman was elected.

Harry S. Cummings	1891-1892
Dr. J. Marcus Cargill	1895-1897
Harry S. Cummings	1897-1898
Hiram Watty	1899-1905
Harry S. Cummings	1907-1919
William L. Fitzgerald	1919-1923
Warner McGuinn	1919-1923
Walter Emerson	1927-1931
Warner McGuinn	1927-1931
Walter T. Dixon	1956-....

Boston Backs Atty. Elam in Council Race

Courier
Pittsburgh, Pa.
10-10-59
P. 9.

BOSTON, Mass.—Negro voters in their respective districts flexed their voting muscles in last week's primaries and made sure that Atty. Harry J. Elam, candidate for the City Council, won a nomination.

Attorney Elam, who is a brother of Clarence Elam, chairman of the Boston Licensing Board, not only carried the predominantly Negro wards, 9 and 12, where he received 3,558 votes out of his total 16,631, but received considerable support in white districts.

Atty. Victor C. Bynoe, candidate for a seat on the Boston School Board, was not as fortunate. Though he too received the active support of predominantly Negro areas, Bynoe failed to garner enough votes in key white areas. His vote tally was 12,696.

■

THE LAST and only Negro City Councilman, Laurence H. Banks, was elected from Ward 9 when there were 22 members of the Council. Attorney Banks had to fight a legal battle to gain his seat, which was disputed by the incumbent, Daniel F. Sullivan, over the validity of 24 ballots.

The ballots had been illegally marked by a white polltender to invalidate them; the ballots in question had been cast for Attorney Banks. The court litigation took 18 months. Banks served on the City Council for only six months. His salary had to be voted to him by a special act of the State Legislature.

Builder A. B. Chennault Nominated To Mich. Post

DETROIT — (ANP) — Alvert B. Chennault, a 61-year-old real estate broker, the grandson of a slave, was nominated last week by the Republican State convention for the six-man Board of Governors of Wayne State university. His nomination marked the first time in the history of Michigan that a Negro had been nominated for an office on the state ticket of a major political party.

Because he had a hard time getting an education, working his way through Paine college and Atlanta university, he determined early in life to "do some thing to help others get through school." Although he represents a third generation of builders, education remains his great interest in life.

He was a member of the Citizens Advisory Committee on School Needs in Detroit, and a member of the General Finance Committee for School Needs for the Board of Education.

Chennault, who is at present constructing 200 homes in the Chennault subdivision of New Haven, Michigan, is chairman of the Northwestern Area Citizens for Schools.

Negro on Kalamazoo City Commission

KALAMAZOO — Arthur Washington Jr., 36-year-old social worker, is the first Negro in this city's history to be elected to the City Commission.

The popular local president of the NAACP was surprisingly voted into office despite the fact that only 4,400 Negro residents live here out of a total population of some 150,000. Leading citizens supported him.

Washington is a case worker for the city's family service center.

Negro Wins Judgeship In Michigan

GRAND RAPIDS, Mich. —(ANP) — A Negro assistant prosecuting attorney this week was elected to a judgeship. He is the first Negro in the state elected to a judgeship without previous appointment to the post.

Forty-seven year old John T. Letts who moved here five years ago to become a parole officers for the Michigan State Department of Corrections, won over his opponent, Murray Denn DeGrott, 16,000 to 10,633 in the election Monday.

Letts, who was appointed assistant prosecuting attorney three years ago in Kent County, is a 1951 graduate of Suffolk university, Boston, Mass.

When queried about the racial issue, and asked if race or color was a drawback in the campaign he replied: "I feel that people who take their candidates seriously do not rate a man by his color. I presented what I felt to be the significant issues and my qualification to solve theb. It paid off."

His opponent was a 32-year-old man who has lived in Grand Rapids all his life. Letts is a native of Mecosta, a small community in Northern Michigan.

Mich. Negro Wins Judge Election

GRAND RAPIDS, Mich. — An assistant prosecuting attorney from here has become the first Negro in the state ever to be elected to a judgeship without previous appointment to the post.

John T. Letts, 47, who moved here five years ago to become a parole officer for the Michigan State Department of Corrections, won over his opponent, Murray Benn DeGroot, 16,000 to 10,633 in last Monday's election.

Letts, who was appointed assistant prosecuting atorney in Republican Kent County three years ago, is a 1951 law graduate of Suffolk University in Boston. As assistant prosecutor he was attorney in the Municipal Court.

The victor put the personal touch in all his campaigning and relied mainly on coffees in homes through the city of 190,000 population, speeches before churches and youth groups and television appearances. He also depended on the efforts of several hundred white and Negro volunteers who began weeks in advance of the election to ring doorbells and pass out campaign literature.

COLOR ISSUE

Asked whether his color was much of a drawback in the campaign, Letts replied: "I feel that people who take their candidates seriously do not rate a man by his color. I presented what I felt to be the significant issues and my qualifications to solves them. It paid off."

A major theme struck in the campaign by Letts was "A family man for a family court." He linked the home and family with the Grand Rapids Municipal Court in which more than 10,000 cases are filed annually. These are mostly small claims involving bills and debts against the heads of families.

Letts and his wife, Agatha, are the parents of two teen-age sons, both students at Central High school.

His opponent was a 32-year-old bachelor who has lived in Grand Rapids all his life. DeGroot, also an attorney, waged an active campaign.

A life-long Republican, Letts is no newcomer to politics. He was chairman of the 1958 Kent County Republican Convention and for the last five years has been a Republican precinct delegate.

However, his support bridged party lines. He had the endorsement of the Kent County AFL-CIO Council, local Democrat and Republican clubs, and many civic, religious and social leaders.

A native of Mecosta, a small community in Northern Michigan, Letts was reared in Lansing.

Clay, new; and incumbents T. H. Mayberry, Archie Blaine, Wayman Smith and Dewitte Lawson.

* * *

THE ST. LOUIS, Grand Rapids and Detroit elections were characterized by dedicated campaigning in their respective communities.

The Rev. Mr. Hicks won his school board post with the endorsement of a local daily paper and despite a last-minute "smear" attack attempted by his opponents.

In Grand Rapids, with a population of 190,000 several hundred colored and white volunteers staged a door-to-door campaign for Judge Letts.

Asked if his color played any part, he said: "I feel that people who take their candidates seriously do not rate a man by his color. I presented what I felt to be the significant issues and my qualifications to solve them. It paid off."

3 win Michigan judgeships; 7 others win in St. Louis

DETROIT, Mich.—Three colored candidates won judgeships in elections held throughout Michigan last Monday. In Detroit, Judge Wade McCree was returned to the Circuit Court and Judge Elvin Davenport to the Recorders Court. Both had previously been appointed by the governor.

In Grand Rapids, 47-year-old John T. Letts, a parole officer in the state Department of Corrections, defeated Murray B. DeGroot 16,000 to 10,633.

The Wilberforce and Suffolk Universities graduate was hailed as the first colored person in the state ever to be elected to a judgeship without previous appointment to the post."

Another "ice-breaker" was Dr. D. T. Burton, Detroit, who was the first colored person to be elected to the board of governors of Wayne University. Voting for this post was state wide.

In River Rouge, Hezekiah McDonald polled 1723 to be returned to his constable post by popular vote.

* * *

ST. LOUIS, also last week, elected one colored candidate to the board of education and sent six to the board of aldermen, the St. Louis city council.

The Rev. John J. Hicks, pastor of Union Memorial Methodist Church, polled 46,512 votes to be the second highest vote-getter in the election.

The elected aldermen, two of whom are newcomers, are: Larence Woodson and William

Mich. Negro Wins Judge Election

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Candidates Talk In Mississippi

Liquor, Labor, Segregation Issues Dominate Addresses

BY KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., July 14 — Liquor legalization, labor and segregation dominated stump speeches Tuesday in the Mississippi governorship campaign.

Dist. Atty. Charles Sullivan reiterated in a speech from a New Orleans television station beamed to Mississippi's wide-open coast that "the only honest answer to the liquor question is legalization on a local basis."

Promises To Enforce Law

And, the son of a Baptist minister said, if he is elected that he will enforce the state's prohibition law completely, equally and without exceptions so long as it remains a law."

"No other candidate has made that promise and it will be interesting to see if either of my opponents who claim to favor prohibition will promise to close whisky stores and bars now operating in certain parts of the state," Mr. Sullivan said.

"I predict they will not find the courage to discuss prohibition when they speak in areas where whisky is now being sold openly in bars and stores in violation of the law."

Meanwhile, Lt. Gov. Carroll Gartin said the "recommendation" given his candidacy by the AFL-CIO Committee on Political Education does not tie him to it or its programs. He reiterated he stands for continuance of the Right to Work Law and that he would veto any effort to repeal it.

Mr. Gartin held a big northeast rally at Tupelo with the statesmen quartet heading the program.

Speaking at Bay Springs, Ross Barnett asserted that Mississippi "needs vigorous leadership during the next four years to maintain segregation and help unify the South against left-wingers and integrationists."

Reaffirms Stand

"I want to reaffirm my stand as a vigorous segregationist and I will fight any moderate attitudes," The Jackson attorney making his third bid for the office said.

"In spite of what some people may be saying, segregation is an important issue in this campaign," he said "There are those who give it lip service and mean well but don't have the experience to do anything about it."

Mr. Barnett said Mississippi "should set the pace in unifying other Southern states to hold the line against integration."

The gubernatorial aspirant criticized Gov. J. P. Coleman's administration "for taking no steps to aid other Southern governors when their backs were to the wall."

Racial Moderates Hit By Governor-Elect

By The Associated Press

Racial moderates were blasted by Gov.-Elect Ross Barnett of Mississippi as token integration continued to spread quietly and peacefully into additional Southern communities.

He charged moderates planned to move into his State the next four years as part of a campaign to pick off Southern States one by one. The South should unite with pro-segregation citizens Councils to fight attempts at integration, he said.

Mr. Barnett told a Citizens Council meeting at Jackson, Miss., last night that moderates "are nothing more than Southern burglars. They want to rob us of our priceless heritage, and they tell us that we shouldn't complain as long as they steal it a little bit at a time."

He said token integration was "just a sort of token burglary."

Officials Reproached

At Nashville yesterday, Federal Judge William E. Miller reproached public school officials in Tennessee for not complying voluntarily with the Supreme Court segregation ruling. He gave the school commission a week to submit an integration plan. Only three Tennessee public school systems have started integration. They are at Oak Ridge, Clinton and Nashville.

The first integrated public school classes began without disorder in Florida. Four Negroes entered Miami's Orchard Villa Elementary School with eight white pupils. There were 130 pupils when the last term ended, but many white families have moved from the district since then.

At Tampa, Fla., applications were received from 18 Negro pupils seeking reassignment to all-white schools. Officials interpreted the move as a new test of the Florida pupil placement law.

Texas Schools Open

About 2 million children started classes in Texas, where 101 of the 1,646 school districts are desegregated. Two Negro couples tried to enroll their children in white public schools at Fort Worth.

They left without protest when officials said Forth Worth schools would remain segregated this term.

City parks remained closed at Montgomery, Ala., after a Federal court judge ruled unconsitutional a city ordinance forbidding integraiton in public recreational facilities. Municipal officials vowed not to reopen the parks while an integration threat lingers.

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Camden elects 2 to school bd.

CAMDEN, N.J. — Camden's School Board election is over.

A great surprise to hundreds was the election of two colored men. There were nine candidates for three vacant seats.

J. Maxwell Griffen, an incumbent, sought re - election, "on his record," with what political prognosticators said was support of "City Hall." He won.

J. Arthur Jones, local business man, who made some remarks about "political puppets," was said to have had backing of another faction of "City Hall." He also won.

* * *

BUT EARLY in the campaign, an erroneous idea gained ground that the two men were running against each other. This could have defeated both.

But the election took place on last Tuesday, Feb. 10.

And sometime before the date, Attorney Robert Burk Johnson, a former assistant county prosecutor, Republican leader of the 7th ward and publicity director of Jones' campaign, made a statement in the AFRO - AMERICAN.

He said there was no reason that both men should not be on the Board of Education.

He emphasized that "one Negro should not be pitted against another," and called attention to the fact that two colored men serve on the Atlantic City Board.

He said that with the colored population of Camden, two on the board of Education would not be disproportionate.

Then on Sunday, preceding the election, Dr. Ulysses S. Wiggins, president of the Camden NAACP, who headed Jones' campaign, addressed a mammoth congregation in the Kaighn Avenue Baptist Church, where he advocated election of both these candidates.

Dr. Wiggins is a former candidate for post of City Commissioner, and is being boomed to run again.

* * *

REGARDING LAST week's election, one of the city's old-time political analysts, was heard to say that a lot of folk stayed home from the polls, certain that both colored candidates would be defeated.

And that a lot of others, who previously had not evinced much interest in school board elections, came out and voted for both.

In the final report Griffen polled 3,013 votes, and Jones 2,966. Mrs. Eluria Millimen, an incumbent, was swept back in to office with the highest vote, 4,042.

Charles Di Carlo, one of six defeated candidates, indicated he would call for a recount of voting results in the 8th ward.

He said Jones led the 8th ward with 429 votes, while he received the lowest of all candidates in that ward — 79.

Griffen resides in the 8th ward where he manages the Roosevelt Manor, and the Chelton Terrace housing developments.

The other candidates and votes polled are DiCarlo, 2911; Spencer Smith, Jr., 2769; Mrs. Miriam W. Hudson, 2428;

Thomas S. Watson Jr., 2414, (son of the County Recorder of Deeds); Thomas J. McLaughlin, City Police Court clerk, 2315; and Alexander Di Bartolomeo, 2015.

J. MAXWELL GRIFFEN

J. ARTHUR JONES

NEW JERSEY

First Negro Nominated for Bench in Newark

Special to the Herald Tribune

NEWARK, N. J., Oct. 18.—Harry J. Hazelwood, thirty-six-year-old assistant Essex County prosecutor, today became the first Negro nominated for a municipal judgeship in Newark.

Mayor Leo P. Carlin announced he was submitting the names of Mr. Hazelwood and Samuel H. Lohman, Newark license commissioner, to the City Council for consideration for judgeships. If elected, they would replace two retiring judges, A. Milton Jacobs and Milton Hodes. The City Council will consider the nominations Nov. 5.

Mr. Hazelwood attended Rutgers University on a scholarship and was graduated from Cornell University in 1949. Mr Lohman is a graduate of Rutgers and is a former Newark tax commissioner.

The council also will consider the nomination of Joseph F. Weldon, an assistant chief inspector in New York City, for the position of police director in Newark.

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Bi-Partisan Endorsement Urged For New York Negro Judge

Call Kansas City Mo.
En 5-26-59

By CONRAD CLARK

NEW YORK. — (ANP) — Contrary to daily reports that Tammany Democrats foresee a serious wrangle over the selection of a Negro Democratic candidate to run against Judge Samuel R. Pierce, appointed to the General Sessions bench by Governor Rockefeller, a bi-partisan nomination is expected to indorse the incumbent.

While it has always been the policy for the politicians to name an opposing candidate, sometimes, mostly a token gesture, Harlem will test its political strength this fall, and demand that Tammany Hall not name a candidate to oppose Pierce, but to go along with the GOP choice.

To date, no indication has definitely come from "downtown" and old-timers are taking the "silence" as a smokescreen for a last minute nod from Carmine DeSapio to slip in the candidacy of a white nominee.

The battle of the races—Italian, Irish and Negro—will take precedence over the local insurgents' fight booked among the uptwown and downtown Democrats, for leadership of the various assembly districts.

The fight looming for the uptowners runs like a Madison Square Garden boxing card, and the principals include Manhattan Borough President Hulan Jack, versus John Edmunds, law partner of former parole Commissioner Herbert Evans and Thomas Weaver of the attorney general's civil rights bureau, 14th district, ast; Antonio T. Rasmus, board of elections, versus Senator James "Skid" Watson, Truman Democratic club whose president is A. P. W. Walker said to be a pro-Watsonite; Elizah Crump, head of the 12th district, south, formerly of the old Beavers and Witoka Democratic clubs, versus Representative Adam C. Powell Jr., 12th district, and Cecil E. Carter, head of the 12th district, north, versus Mark T. Southall, former captain of the Harriman Democratic club, 12th district, north.

Heading the "brain trust" of Powell's candidacy is Harlem's Raymond Jones, "The Tiger," former leader of the 13th district who is said also to have entered the three-way race this fall for his old office.

Behind Watson's candidacy for Rasmus' job is Atty. Herbert Evans, former member of ex-Governor Harriman's cabinet. One of Southhall's strongest supporters is Representative Powell, who is trying to oust Crump.

Democrats Ignore Powell's Plan For Negro City Judge

34a(2) N.Y.

Daily World

NEW YORK (NNPA)—Disregarding the advice of Rep. Adam Clayton Powell, Harlem Democrat, the New York County Democratic executive committee Thursday named Justice Baldwin Telesford, 58, from Harlem's 10th Municipal Court District, to run for City Court Justice.

Atlanta Ga.

Mr. Powell had proposed an escalator plan, whereby a colored judge would be selected to run against Judge Samuel Pierce, the Republican candidate to succeed himself on the General Sessions Court bench. Pierce, colored, was appointed by Gov. Nelson A. Rockefeller and has the endorsement of the Liberals as well as the Republicans.

The selection of Justice Telesford to run for the City Court intensifies the fight between Powell and Carmine De Sapio, county leader. Powell insisted on the selection of colored candidates for the higher judicial posts from among colored sitting judges.

The vacancy on City Court which Justice Telesford now seeks by running in the Democratic primary opened up only Wednesday. It came about when James E. Mulcahy resigned as a City Court Justice, effective as of July 31.

There are two vacancies on General Sessions, salary $34,500 a year, which are to be voted on this year. In addition to Justice Mulcahy, Tammany also promoted Justice Joseph A. Sarafite, of Special Sessions. The Liberals refused to back Justice Mulcahy for General Sessions and instead named Justice Pierce, a rising young Republican.

De Sapio can now ask Mayor Robert F. Wagner to name another colored attorney to Justice Telesford's Municipal Court vacancy if Justice Telesford wins in November.

The Baltimore Afro-American Newspapers

Yup

Nelson Rockefeller is reported to have said this week that the U. S. "cannot win the respect and trust of black men in Nigeria or Ghana until we have honored the citizenship of Negroes in Georgia or Alabama."

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No doubt about it. He's running.

Rockefeller Campaign Raises Issue Whether Presidency Can Be Bought

Not since 1904, when newspaper tycoon William Randolph Hearst sought the Democratic nomination, has anyone attempted to buy the Presidency by spending colossal sums to engineer popular support. Signs point to such an attempt by Nelson Rockefeller this summer.

Though Gov. Rockefeller is playing coy as to his intentions, the Rockefeller campaign is well under way. One of his personal aides told a Wall Street Journal reporter, in response to a question about the Governor's Western trip: "It was a good preliminary softening up campaign. Wait until he really starts campaigning."

The Journal also has disclosed that the Rockefeller campaign team has been heavily strengthened in recent weeks. At least five new speech writers, including Time - Life editor Emmet Hughes, started to work. The whole publicity and organizational apparatus necessary for a campaign is being readied.

Like Mr. Hearst in 1904, Gov. Rockefeller will enter the campaign with the advantages of an immense personal fortune and giants of the press working in his behalf. Time and Life are working hard to give him the build-up necessary to sell him to the American people.

"Sell" is the right word, for Gov. Rockefeller is only a famous name and a handsome, smiling face to millions of Americans outside of New York State. His speeches are filled with the shopworn generalities of contemporary "liberalism." The real content of his beliefs is unknown to the public.

The indications are that Gov. Rockefeller's campaign advisors have no intention to sell their man on the basis of his beliefs. In fact, from looking at his record, we see no reason to believe that he has any firm political principles. He held positions under the Roosevelt and Truman administrations without publicly questioning the philosophy of the New Deal in domestic or foreign affairs. The hallmark of the Rockefeller brothers is their willingness to ride with the popular tide and make whatever adjustments in outlook are necessary.

This doesn't mean that Gov. Rockefeller's critics won't probe his actions of the last two decades. He will have to stand on his record though his advisors may not want him to do that.

Gov. Rockefeller was Coordinawar was a gigantic boondoggle. His ing the 1940s. This chapter in his career should be deeply studied, for we have heard reports that the organization he bossed during the war was a gigantic boondogle. His competence or lack of competence as an administrator should be revealed to the public.

Gov. Rockefeller's record in New York State reveals little that is likely to arouse enthusiasm. One of his first acts was to raise taxes and call for greater public spending. Insulated as he is from the financial problems of ordinary citizens, it is not likely that he would appreciate the necessity for keeping taxes at a reasonable level.

The Rockefeller campaign strategy seems to be the typical Madison Avenue method of merchandizing a candidate's personality. His publicity braintrusters already have come up with two nicknames: "Rocky" and "Nelse." And, who knows, the new daughter-in-law, who comes from a middle - class Norwegian family, may prove politically useful in humanizing the Rockefeller image.

The heart of the Rockefeller strength is money power. The interests of the Rockefeller family extend into dozens of nationally important institutions, including banks and universities. The Rockefeller Brothers Fund, which finances studies of defense matters and other public issues, means profitable research and special study contracts for influential academic figures.

This power is a dubious asset for a man who wants to be President. The powers of the Presidency already are too great. If conferred on a man who had vast personal power and influence, the total might be too great for the well-being of the Republic.

Even if this were not the case, Gov. Rockefeller has taken stands which indicate that he is a sort of Republican Averell Harriman. We cannot imagine that conservative Americans are happy with the thought of such a man being "sold" to the nation's voters.

New York Elects Second Negro Justice

New York, Nov. 16—Poling the highest number of votes of any candidate on the Democrat Party nominees in last Tuesday's election, Justice Darwin J. Telesford expressed his appreciation to the voters in New York County who gave him 182,500 votes. A plurality of over 78,000 over his closest rival.

A Negro, and one of the two democrat candidates for the county wide election for the city court Justice Teleford easily won the $25,000 per year post which carrys a 10-year term.

AL SMITH'S DEFEAT HELD BLOT ON U. S.

At United Synagogue Parley, Dr. Finkelstein Scores Campaign Prejudice

By GEORGE DUGAN

Special to The New York Times.

KIAMESHA LAKE, N. Y., Nov. 18—A leading Jewish theologian said here tonight that Alfred E. Smith's loss of the Presidency in 1928 was a blot on the conscience of America."

The late Democratic Governor of New York, a Roman Catholic, was defeated partly because of his religion.

The statement was made by Dr. Louis Finkelstein, president of the Jewish Theological Seminary of America, at the biennial convention of the United Synagogue of America.

The organization represents the Conservative branch of American Judaism. Its five-day meeting at the Concord Hotel will end tomorrow.

"Perhaps Al Smith would have accepted his defeat as others do, had the issue of his religious faith not been brought into the discussion both publicly and in whispering campaigns," Dr. Finkelstein declared.

Smith 'Lost Faith'

"But because that did happen, Smith after 1928 never resembled the Smith who had been Governor of New York. He began to fade and wither. He sought solace in business. But he could find no solace. Not, I imagine, because he failed to achieve the Presidency, but because he had lost faith in America's decency."

At a business session, the delegates adopted a resolution opposing race or religion as a "test of fitness and availability for public office," and urged both parties to publicly oppose appeals to racial, religious or ethnic prejudice.

Earlier today the convention voted to refer the question of affiliating with the World Zionist Organization to its executive council for a report in 1961. The Zionist movement was instrumental in establishing the state of Israel.

There was vigorous debate on the question yesterday. Most of the debate centered on whether a religious organization should join forces with what many persons described as a "political" movement.

Asked to comment on the controversy and the action of the convention, Dr. Finkelstein said that "despite the sharp debate, everyone within the Conservative movement agreed that Jerusalem is the focus of Jewish prayer and the center of the Jewish faith."

The delegates called upon the United States and the other atomic powers to "dismantle all weapons of mass destruction," to renounce the use of atomic arms, and to continue indefinitely the ban on nuclear testing. The action was unanimous.

Tonight the Solomon Schechter Award for social action was given to Temple Emanuel of Staten Island, N. Y., for its work in rehabilitating juvenile delinquents.

Bernath L. Jacobs of Philadelphia was re-elected president of the organization.

At Monroe

Negro Files For Mayor's Post

MONROE, (AP) — Robert F Williams, militant Negro leader of Union County, paid his filing fee Saturday as a candidate for mayor of Monroe.

Williams filed about an hour after incumbent mayor Fred M Wilson, a white dentist, filed for re-election. The filing deadline is April 3 and the primary election, April 18.

Negroes make up about 25 per cent of Monroe's population and a smaller percentage of the registered voters.

Williams is the first Negro candidate for mayor in the memory of long-time residents here, although there have been unsuccessful Negro candidates for the board of aldermen.

Williams, a dominant figure in several racial disputes here in recent years, recently announced his resignation as president of the Union County Chapter of the National Assn. for the Advancement of Colored People. He said he was devoting full time to his chairmanship of the Committee to Combat Racial Injustice, an organization he helped form and which has conducted several fund raising trips in Northern cities heavily populated by Negroes.

Negroes Want Seat On Council

GREENSBORO (UPI)—A Negro group made a public plea here Monday for representation of a member of its race on the city council in the interests of "racial harmony."

The Committee on Better Government for Greensboro announced its support of Waldo C. Falkener, Negro bondsman, who is a candidate for the council. The committee said it represented 18 Negro organizations in Greensboro and was dedicated to encouraging local Negroes to take a more active interest in voting.

The group said there has been little liaison between white and Negro groups in Greensboro in the past few years. "We feel the time has come to re-establish better racial harmony," it said. Regarding Falkener's candidacy, the committee asked that "as a matter of fairness, all citizens of Greensboro help place a Negro on the city council in order to promote racial harmony once again and to give representation to the city's 22,000 Negroes."

Seeks 5th Term

A colored minister has announced he will seek a fifth term as an alderman from Winston - Salem's (N. C.) Third Ward.

The Rev. William R. Crawford said his plank would include better race relations. "With the good name Winston-Salem has in this area, the Board of Aldermen as well as every other group that represents the city in any capacity should think in terms first of all, of good will and peaceful relations between the citizens," he said.

Rev. Mr. Crawford also said he would run on a platform calling for an elected City School Board.

Negro gets 93 votes for Mayor in N. C.

MONROE, N.C. — Ninety-three citizens voted last Saturday in the local primary for Robert F. Williams for Mayor.

Williams, a Negro and NAACP official, brought into national focus the notorious "Kissing case" in which two Negro boys were sent to a reformatory because a white girl had kissed one of them at play. The efforts of Williams and the local and national NAACP later secured the release of the boys, 10-year-old Hanover Thompson and 8-year-old David "Fuzzy" Simpson.

Even though incumbent Mayor Fred Wilson won by polling slightly more than 1200 of the votes of this small town, Williams' tally was seen as a victory of courage over fear and lethargy.

It was the first time in 50 years that a Negro had run for office in Monroe, and Williams was the first to run for Mayor.

Immediately after Williams filed for Mayor, Gov. Luther M. Hodges launched a broadside against him, against the NAACP and against the committee to Combat Racial Injustice—all of which had been enlisted to fight the pressures of the "kissing case."

However, Williams made it abundantly clear that he was not running as the candidate of any organization, but clearly linked his campaign to the needs of both poor-whites and Negroes.

In the wake of Williams' announcement, Union Mail columnist Harriet Champion urged white voters "to shake a leg on election day;" she warned of "disastrous results" if a Negro were elected; and she exhorted, "Let's get the sleepers out of our eyes, shift into high gear and be ready to fight for what we know is right."

W.C. Falkener Candidate For Greensboro Council

GREENSBORO, N. C. — Waldo C. Falkener, a professional bondsman, has filed as a candidate for election to the City Council, subject to the April 25 primary and the May 5 election.

Mr. Falkener, a native of Greensboro, attended local public schools, Tuskegee institute, and was graduated from Fisk University, Nashville, Tenn. with a major in political science.

HE HAS BEEN engaged in the professional bonding business since early manhood and for many years was associated with his uncle, the late George H. Mitchell, attorney, in realty endeavors.

Mr. Falkener is a member of the St. James Presbyterian church, Omega Psi Phi fraternity, North Carolina chapter Guardsmen, Greensboro Men's Club, YMCA, and other civic clubs of the Eastern seaboard. He has served as president of Tau Omega chapter, Omega Psi Phi fraternity, and has been YMCA membership chairman.

HE IS THE son of the late H. H. Falkener who was state senator from Warren county and teacher of Greensboro and Guilford county, and Mrs. M. C. Falkener, a Guilford county school supervisor, a founder of the Market Street Baptist church, organizer of the first Greensboro garden club, and a member of the City Federation of Colored Women's clubs.

His wife is the former Miss Margaret E. Evans of Salisbury, N. C. She is a member of the board of directors of the YWCA, chairman of the committee on administration, a member of the board of directors of Guilford Randolph Girl Scouts, a former troop leader and troop consultant, and a service president member of the United Fund.

The Falkeners have three children, Margaret C., 16, Waldo, II, 15 and Cameron Scott, 7.

WALDO C. FALKENER
Seeks Council Seat

Negro Running For Council in N. C.

CHARLOTTE (AN) — A 40-year-old Negro medical clinical technologist has filed as a candidate for the City Council.

He is John F. Hicks, in making known his bid for the post he said Charlotte needs a more progressive, constructive government. He also said he was concerned about the lack of paved streets, adequate sidewalks and street lights in Negro section of the city.

Two Smith grads in Charlotte race

CHARLOTTE, N. C. — Two colored men were among the record number of candidates for the City Council and the school board in the Charlotte municipal primary on Monday.

The Rev. T. J. Givens of 401 Carmel St., pastor of the Biddleville Presbyterian Church for 18 years, was in the school board race.

John H. Hicks of 2534 Jefferson Davis St., a former student at Johnson C. Smith University, has filed for the City Council. Dr. Givens is also an alumnus of Johnson C. Smith University.

Led By US Congressman

NC City Pays Honor To Retiring Race Councilman

Journal & Guide Norfolk, Va. Sat. 6-6-59

p. 11

Special to Journal and Guide

GASTONIA, N. C.—The entire City of Gastonia paused last week to pay tribute to Nathaniel Barber, the city's first colored city councilman.

The tribute was in form of a banquet at Highland high school with over 300 citizens of both races, headed by city officials and the area's congressional representative, taking part.

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MR. BARBER, who refused to run for re-election to the council during the last elections and who was once the city treasurer of Gastonia, had announced that he was retiring from some of his many duties for reasons of health.

A committee composed of citizens of both races decided that it was high time to pay tribute to him for his unstinting services to the development of the city. Hence the banquet.

MAIN SPEAKER at the event was Congressman Basil Whitener, who extolled Mr. Barber as a man of high virtue.

A "self-made man," Mr. Barber is president of the Excelsior Credit Union, one of the largest in the country run by colored citizens.

HE SOUGHT election to the city council first in 1953 and went into the post with a huge majority from both the colored and white sectors. The electorate returned hmi to office in 1955 with a large majority. They again showed faith in him in 1957 sending him back to the local governing body.

Mr. Barber announced that he would not seek re-election in 1959 and his hand-picked successor, J. Q. Fall, was swept into office.

THE LOCAL daily paper paid glowing editorial praise to Mr. Barber on the day after the banque. It said in part: "Gastonians will long remember this historic event."

In addition to Rep. Whitener, speakers at the affair, presided over by Thebaud Jeffers, were W. Harrelson Yancey, former mayor; R. A. Ferguson, mayor and honorary chairman for the testimonial banquet; the Rev. A. C. Hunnicutt, Barber's pastor; newly elected councilman J. Q. Falls; J. W. Atkins, publisher of the Gastonia Gazette; Mrs. Elsie Sanders, Women's Civic Committee; E. F. Gallagher, businessman, and Attorney Donald Ramsuer, who served as general chairman of the banquet committee.

NATHANIEL BARBER
Accorded Honor

Other city officials who attended included Chief of Police G. F. Pennegar, assistant chief E. E. Rankin. Grady B. Scott, Gaston member of the State Legislature; Judge B. W. Craig, U. S. District Solicitor; Steve Dolly Jr., commissioner; Tom Cox, city engineer; George Jenkins, County Commissioner; Jim Carter, City manager; Dr. W. B. Suggs, city superintendent; Pat McSwain, school board chairman; Viv Phillips, Dan Gunther, Ansel Caveny and Tom Ipock, city councilmen; Lt. Gene Ninges, clerk of the court; M. R. Short, traffic police captain; Marshall Rouch, former city councilman; and Gordon Goodson, lumber company president.

Columbus Moves Forward

—For the first time in the history of Columbus, Ohio, a Negro, Atty. Douglas R. Reid, right, has been endorsed by a political party for City Council. Shown pointing to City Hall as if to suggest a change of address are W. Ralston Westlake, Republican candidate for Mayor; Will Schneider, chairman of Republican Central Committee of Franklin County, and Attorney Reid.

Three Judges,

Cleveland puts 8 on its city council

Colored candidates elected as a result of last Tuesday's balloting included three judges, 11 city councilmen and two state legistors.

Those elected to judgeships were:

Raymond Pace Alexander, Common Pleas Court, Philadelphia (incumbent).

Mrs. **Juanita Kidd Stout,** Municipal Court, Philadelphia (incumbent). She is the first colored woman judge in the history of Pennsylvania.

Darwin W. Telesford, Municipal Court, Borough of Manhattan, New York City (incumbent).

Philadelphia and five cities in Ohio accounted for the 11 city council seats.

In Philadelphia, Councilma **Marshall L. Shepard,** who once served as U.S. recorder of deeds in Washington, was re-elected councilman - at - large.

Thomas McIntosh was elected from the fifth councilmanic district which formerly was represented by Judge Alexander.

Both Marshall and McIntos are Democrats.

* * *

EIGHT CANDIDATES were elected to the Cleveland (Ohio) city council which previously had seven colored members.

The two members are **James Bell,** Democrat, who ousted a colored member, and **Earl Hooper,** Republican, who defeated a woman Democrat (white).

The other six incumbents re elected are **Lowell Henry, Theodore Williams, Charle Carr,** all Democrats; **John Kellogg, Augustus Parker** and **Leo Jackson,** all Republicans.

* * *

THE FOLLOWING were elected to city councils in other Ohio towns:

McCullough Williams, Youngstown; **Edward Davis,** Akron; **James B. Simmons,** Toledo, and **Curtis Rhyne,** Alliance.

Also in Toledo, Dr. Frank M. Brown was elected to the board of education.

In Cincinnati, **Ralph Fineley** was re-elected a member of the city school board. Miss **Josephine Walker** was elected to the state school board.

* * *

FORMER CITY councilman Theodore M. Berry, who was vice mayor for two years, 1955-56, failed in a valiant comeback effort — running 10th in a field where only nine could be elected.

He was defeated in 1957 as a result of a whispering campaign based on race and color

Harry Bonepart also failed in his effort to be elected to the municipal bench.

In New Jersey, Mrs. Madeline William (Essex County) was re-elected to the State Assembly on the Democratic ticket.

Herbert Tate, an attorney, made a surprising showing to win an Assembly berth on the Republican ticket from Essex County. Although not an incumbent, Tate previously served in the Assembly.

Waterbury, Conn., Gerald A Lamb, a Democrat, was elected alderman.

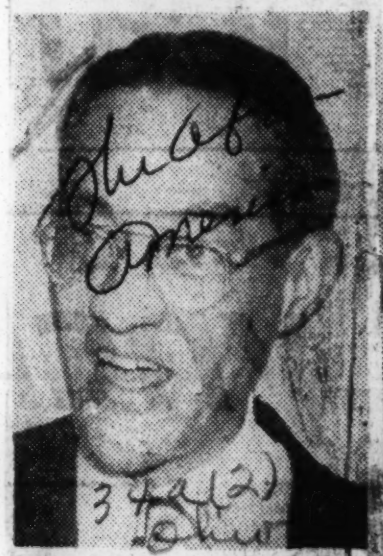
elected as a Republican member of the board of education.

either of the boards. They will

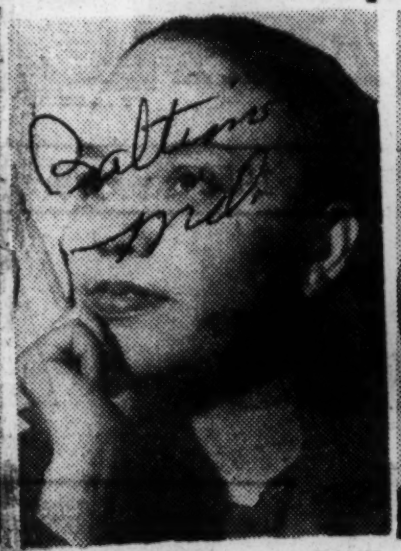
In Boston, Harry J. Elam, an attorney, who was candidate for the nine-man city council, was defeated. He ran 15th in a field of 18 candidates.

In New Haven, Conn., Rich-Lopes, first colored woman to run for city treasurer, was defeated.

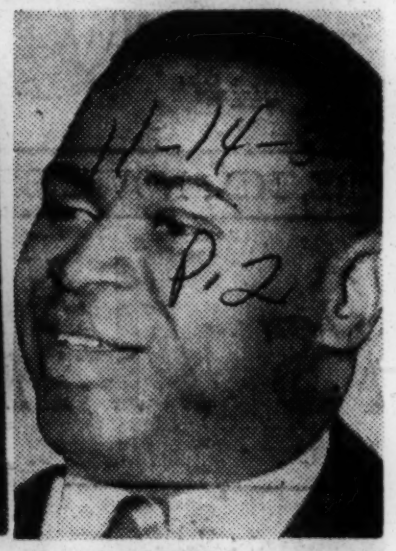
Winners in the Philadelphia election



RAYMOND P. ALEXANDER
Judge, Common Pleas Court, Philadelphia



MRS. JUANITA KIDD STOUT,
JUDGE, Municipal Court, Philadelphia



REV. MARSHALL SHEPARD
Councilman - at - large, Philadelphia

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OKLAHOMA

Ray Martin Throws Hat in Council Race

Ray Martin, 923 N. E. 19th, district manager of Modern Woodmen of America Insurance Company, announced his candidacy recently for city councilman of Oklahoma City's Ward Two.

Martin has been active in Oklahoma City civic affairs for 20 years, and has lived in Ward Two for over 17 years.

He has served on volunteer city committees and has been active in other community and welfare projects.

His most recent activities in city government as a citizen volunteer includes his membership on the 100-man committee now studying Oklahoma City problems and his recent appointment on the Citizen's Advisory committee for the Oklahoma City Police Department. In serving on the 100-man committee now studying Oklahoma City problems, Mr. Martin contacted several of the business, professional, and wage earners in Ward Two and the most serious complaint he heard was that the job of city councilman should be sought by a man who wants the job and enjoys civic work and has the necessary time and inclination to devote to city government.

Ray Alexander

Lawyers Vote Against New Philly Judge

PHILADELPHIA — A secret plebiscite of Philadelphia lawyers stacked their votes against recently appointed Judge Raymond Pace Alexander, 1,403 to 1,066, the only one of ten judges they failed to approve as qualified to serve on the Common Pleas Court.

Alexander, first Negro to be appointed and placed by ex-Governor Leader, was not endorsed by the association several weeks ago.

Judge Alexander, however, is seated until 1960 and must then face election by popular vote.

A PHILADELPHIA Bar Association member who refused to be identified told The Courier that he doubted seriously if the vote was a matter of "race."

Receiving the highest votes of endorsement, however, was Municipal Court Judge Herbert E. Millen, one of two Negro judges in the Municipal Court.

Voters show confidence in Judge Ray Alexander

PHILADELPHIA Democratic Party - backed candidates had a good day at the polls in the May 19 Primary Election.

They were particularly proud of the trouncing voters of both parties gave to former Assistant D.A. Colbert C. McClain who was seeking to unseat Judge Raymond Pace Alexander in Common Pleas Court No. 4.

MR. McCLAIN'S campaign had used newspaper advertisements to attack Judge Alexander for his courageous effort to have the racial bars dropped at Girard College for orphan boys.

Much issue was also made of the fact that Judge Alexander had also failed to win endorsement by the Philadelphia Bar Association.

But the voters showed their confidence in Judge Alexander by the following figures, which also involved a third candidate, Joseph N. Bongiovanni Jr.:

Democrats — Alexander, 80,633; McClain, 37,129; Bongiovanni, 7,531.

Republicans—Alexander, 34,153; McClain, 28,427; and Bongiovanni, 14,978.

Another bright note was the election of Mrs. Frances R. Jones to the State Legislature seat vacated on March 7 by the death of her husband, Granville E. Jones.

IN THE SPECIAL election of the 5th Legislative District, the widow, a Democrat, defeated Republican Christian Harris Jr. by 499 votes.

She polled 5,398 votes to Mr. Harris' 4,899.

This was Mrs. Jones' first venture into politics. She is a former schoolteacher and mother of four children. She serves as a church organist, and president of the Missionary Auxiliary Affiliate of five churches.

Municipal Court Judge Herbert E. Millen was renominated without opposition. He was slated on both tickets.

Magistrate J. Amos Harris (Republican) was among the incumbents who won nomination.

So was Councilman-At-Large the Rev. Marshall L. Shepard, Democrat, pastor of Mt. Olivet Baptist Church.

On the Republican side of the ledger, the Rev. Clarence M. Smith, pastor of Wayland Temple Baptist Church was nominated as councilman - at-large.

In the 5th District councilmatic contest Mrs. Elsie James (R) emerged victorious.

34a(2) 1959

PRESIDENTIAL NOMINATION

Democrats Of Ga. Eye Johnson For President

Defender Chicago, Ill.
Oct. 7-11-59

By GLENN ANTHONY

ATLANTA — (UPI) — Sen. Lyndon Johnson of Texas appears to have captured support of Georgia Democratic party chiefs for the Presidential nomination.

But they admittedly are not throwing their support behind him without some misgivings. Johnson is considered a moderate on the race issue.

34a(3)

Sen. Herman Talmadge, Gov. Ernest Vandiver and state Democratic party chairman John Sammons Bell of Atlanta have said publicly Johnson is the least "distasteful" of a prospective field of nominees.

Bell has probably spoken the loudest, saying that he personally feels that Johnson will be acceptable to the rest of the South, and win the nomination next year.

Bell said in an interview that although "his beliefs are widely divergent from mine he has more of an understanding of southern problems than do those from other sections of the country."

He also believes Johnson could come "nearer bridging the gap between the left wing radical element in the party and liberal right wing than other possible nominees."

Sen. Stuart Symington's Missouri supporters have been circulating sheets among some of the Georgia delegates to the last convention. But Bell feels that neither Symington, who is considered a serious contender for the nomination, nor Sen. John Kennedy would be acceptable to the southern voter. Bell said many southern politicos considered Kennedy's Catholic faith "a real issue."

"Georgia Democrats," he says, "are not going to leave the party. We're going to maintain and keep the Democratic party in Georgia and won't surrender to anybody."

Sen. Richard Russell is being boomed for the nomination by Arkansas Gov. Orval Faubus, but Bell said the senator himself has "made it clear to his friends that he is not interested in running for President.

Unprecedented Vote in Memphis Smashes Strong Bid of Negroes

Times Pleasure Sat 8-22-59
New Orleans La. p 4

MEMPHIS, Tenn. (AP) — An unprecedented 73 per cent of Memphis' registered white voters cast ballots in Thursday's election, smashing a strong bid by Negroes to win a City Commission seat and judgeship.

The top Negro candidate, Russell B. Sugarmon Jr., received enough votes to win past elections but this time the mass turnout of whites snowed him under.

Sugarmon, former Rutgers football player and Harvard Law School graduate, ran second in the five-man race for public works commissioner. He polled 35,268 votes to William Farris' 58,964.

A total of 130,276 votes were cast, shattering the previous record of 86,370 counted in the 1955 city election. Of the registered 57,109 Negroes, an estimated 62 per cent voted.

Segregationists, jittery over the possibility that a Negro might be elected to city office here for the first time, pleaded for a heavy white vote to offset the Negro bloc. The response was greater than they anticipated.

Another Negro candidate, the Rev. Ben L. Hooks, was conceded a fair chance to win the race for Juvenile Court judge. He finished about 21,000 votes behind incumbent Judge Elizabeth McCain. Two other white candidates trailed Hooks.

Henry Loeb III, 38-year-old public works commissioner, was elected mayor in a landslide.

Officials say Negroes have good chance to put one of th own in office if the white vote split. Only a plurality is necessary to win. Some 100,000 voters are expected to turn out, a record for a local election.

Russell Sugarmon Jr. was the egro given the best chance of victory.

Sugarmon faces four white men in the public works commissioner race. A fifth white candidate quit the race to cut down Sugarmon's chances of election.

Negroes are believed to have last held elected office as late as 1888 at the end of Reconstruction.

City officials and both Memphis newspapers had urged the white public works candidates to "thin your ranks" and thus avert the possibility of a "minority candidate" winning.

The drive led city engineer Will Fowler to quit the race "for the good of my city." He was the only one of the original five whit candidates to withdraw.

registered, including 57,109 Negroes.

Voting in the predominantly Negro wards was about 62 per cent.

In the hotly contested race for public works commissioner, William W. Farris, 35-year-old city personnel director, won convincingly over Russell B. Sugarmon Jr., Negro attorney, with 58,943 votes to 35,248.

Others Run Far Behind

There were three other white candidates in the contest. John Ford Canale polled 19,297, Sam Chambers 13,200, Samuel Hawkins 408. City Engineer Will Fowler, who withdrew to help prevent a minority candidate from winning, had his name on the ballot and received a token 2,211.

Memphis has no run-off election. The candidate with the highest vote is the winner. New terms begin Jan. 1, and all are for four years.

Something of an upset was the victory of James W. 'Jimmy' Moore, 54-year-old real estate salesman and former big league baseball player, over incumbent Stanley Dillard for commissioner of finances and institutions by 62,214 to 45,213. C. E. Hurley got 5,450 and Malone Sims 649.

Because of Commissioner Dillard's outspoken stand as a segregationist, Mr. Moore received heavy support in the 29 Negro precincts.

Henry Loeb, commissioner of public works, was top vote-getter on the ticket and easily won his race for mayor with 85,282. Second was Partee Fleming with 32,164, and trailing were Willis Ayres Jr., 3,213; Tom Morris Bryan, 1,618, and Albert Boskey, 442.

Dwyer Is Re-Elected

Incumbent John T. Dwyer won over his lone opponent, Lewis Taliaferro, 72,631 to 39,580, in the race for public service commissioner.

Claude Armour, fire and police commissioner, received the second high vote on the ballot, defeating J. O. Bomer Jr., 80,822 to 12,330.

Incumbent Elizabeth McCain was re-elected Juvenile Court judge, defeating Rev. Ben Hooks, Negro attorney and minister, 53,622 to 32,113. Far behind were Joseph McCartie, 22,662, and Mrs. Ila Huff, 16,483.

Rev. Roy Love and Rev. Henry Bunton, Negro ministers, trailed badly in their contention for Board of Education posts. The four incumbents — Julian Bondurant, John T. Shea, Mrs. Lawrence Coe and Mrs. Arthur Seessel Jr.—were all re-elected by wide margins. Mrs. Seessel received 54,640 to 31,904 for Love, while Mrs. Coe beat Bunton, 55,718 to 28,782.

The other Negro aspirant, Ellehue Stanback, was swamped by incumbent Joe Hicks for tax assessor, 74,137 to 25,104. George Lenow Jr. got 13,702.

Three incumbent city judges —John Colton (unopposed), Beverly Boushe and William B. Ingram Jr.—all rolled up large votes to gain new terms.

Memphis Votes On 5 Negroes

Daily News Jackson Miss
Thurs 8-20-59 p1

MEMPHIS, Tenn. (UPI) — A record 100,000 or more voters were expected to go to the polls today in the Memphis city election highlighted by a bid of Negroes to be the first of their race since Reconstruction to win office.

There are five Negroes among the 43 candidates for 14 offices. There are 187,541 registered voters, including 57,109 Negroes.

Political Fever Abates, Leaves Big Vote Total

Commercial Appeal Memphis, Tenn.
Sat 8-22-59

70 Per Cent Of Memphians Eligible Trek To Polls For 129,307 Count

LOEB HIGH WITH 85,282

All Five Negro Candidates Are Defeated — Moore's Ousting Of Dillard Is Major Surprise

By ROBERT GRAY

Memphis yesterday returned to political normalcy after a rousing election Thursday in which five Negro candidates for city offices were defeated under a record 129,307 votes.

The trek to the polls was made by a remarkable 70 per cent of the 187,541 who were

Negroes Trail Far Behind In Memphis Vote

Tribune Courier
Fri. 8-21-59
Charleston, S.C. p 1

MEMPHIS, Tenn. (AP) — The first Negro candidates even to rank as possible victors in a Memphis City election trailed far behind in mounting returns Thursday night.

A cross-section of white and Negro precincts showed that the big Negro bloc vote expected to favor Russell B. Sugarmon Jr. and the Rev. Ben L. Hooks was not in sight.

In pre-election estimates, Sugarmon was given an even chance to win the race for public works commissioner against four white candidates. Hooks ran against three white candidates for Juvenile Court judge.

However, with 40 of the 143 precincts reported, the vote totals in the two races were:

Public works commissioner—William W. Farris, 17,099; John F. Canale, 6,116; Sam Chambers, 3,210; Sugarmon 3,107; Samuel Hawkins, 59.

Juvenile Court judge — Incumbent Judge Elizabeth McCain 16,311; Joseph B. McCartie 5,691; Ila Huff 4,596; Hooks 2,632.

A record vote, possibly 100,000 or more, was forecast. There are 187,541 registered voters here including 57,109 Negroes.

BULLETIN

MEMPHIS, Tenn. (AP)—Russell B. Sugarmon Jr. and the Rev. Ben L. Hooks, principal Negro candidates in municipal elections here, were defeated in their bids for office. With all but 13 precincts reporting, Sugarmon trailed William W. Farris in the public works commissioner race by more than 31,000 votes. Hooks, a candidate for juvenile judge, trailed incumbent Judge Elizabeth McCain by nearly 28,000 votes.

Negro May Win Today In Memphis

Jacksonville, Fla.
Thurs 8-20-59

MEMPHIS, Tenn., Aug. 19 (AP) The hottest municipal campaign in years drew toward a close today with segregationists fearful a strong bloc vote will elect a Negro to office for the first time in the city's history.

Russell B. Sugarmon Jr., a Harvard-educated Negro attorney is given an almost even chance of winning the crowded race for public works commission.

Sugarmon, 27, is running against four white candiates in tomorrow's election. He could win by polling a strong Negro bloc vote while his opponents divide the white vote.

There are 187,541 registered voters here of whom 57,109 are Negroes. A record 100,000 vote is forecast.

4 More Running

Four more Negro candidates are running for other city offices but only Sugarmon is given a strong chance to slip in.

There were five white candidates originally in the public works race. But one, City Engineer Will Fowler, was persuaded to withdraw to lessen the vote split and the possibility of Sugarmon's election. Appeals for still others to drop out went unheeded.

Negroes have run for office here before but none ever came close to winning.

However, from the start of the present campaign, Negro leaders pressed their efforts with all-out seriousness and solidarity. They appealed for the white votes as well as the Negro.

Expects White Votes

"I am convinced we will get more than a few white votes," Sugarmon said. "Not from those whites who vote as whites, but from those who vote as citizens. We in Memphis have the power to elevate the individual and bring freedom to both races."

The Negro minority vote here gradually began gathering power after the death of E. H. (Boss) Crump and his political machine in 1954. In Crump's heyday, Negroes generally voted along with whites for Crump's candiates.

Whether Sugarmon wins or not the campaign is likely to bring changes in the city's election machinery—namely a primary and runoff system. The primary would cut the candidates to the two highest vote men with the runoff determining the winner.

Negroes lose in Memphis ballot test

News Birmingham Ala.
Fri 8-21-59 p 1

MEMPHIS, Tenn., Aug. 21—(AP)—A record breaking white vote smothered the first all-out Negro political campaign in the history of this Mississippi River city of the Deep South.

Russell B. Sugarmon Jr., a 30-year-old Negro lawyer, finished second in a race for public works commissioner that had jittery segregationists predicting catastrophe.

The final count gave Sugarmon 35,237 votes. He lost to a white "unity ticket" candidate, William W. Farris, by about 23,000 votes.

The predicted heavy vote for Negro candidates came as advertised, but the uproar of the campaign spurred the total turnout yesterday to a whopping 129,868. The previous record for a city election was 86,370.

The Rev. Ben L. Hooks, a Negro lawyer and preacher who ranked as a possible victor in the race for juvenile judge, lost by about 21,000 votes. He ran against three white candidates.

SUGARMON, a Harvard man, was given an almost even chance against four white candidates in pre-election estimates. The four were expected to splinter the white vote.

Negro Loses In Memphis Record Vote

MEMPHIS, Tenn., Augs. 21 (AP)—An unprecedented 73 per cent of Memphis' registered white voters cast ballots in yesterday's election, smashing a strong bid by Negroes to win a city commission seat and judgeship.

The top Negro candidate, Russell B. Sugarmon Jr., received enough votes to win past elections but this time the mass turnout of whites snowed him under.

Sugarmon, former Rutgers football player and Harvard law graduate, ran second in the five-man race for public works commissioner. He polled 35,268 votes to William Farris 58,964.

A total of 130,276 votes were cast, shattering the prevous record of 86,370 counted in the 1955 city election. Of the registered 57,109 Negroes, an estimated 62 per cent voted.

Segregationists, jittery over the possibility that Negro might be elected to city office here for the first time, pleaded for a heavy white vote to offset the Negro bloc. The response was greater than they anticipated.

Another Negro candidate, The Rev. Ben L. Hooks, was conceded a fair chance to win the race for juvenile court judge. He finished about 21,000 votes behind incumbent Judge Elizabeth McCain. Two other white candidates trailed Hooks.

Henry Loeb III, 38-year-old public works commissioner, was elected mayor in a landslide.

Police Commissioner Claude Armour and Public Service Commissioner John T. Dwyer were re-elected easily. But political newcomer James W. Moore, former major league baseball player, ousted Commissioner of Finance Stanley Dillard.

The report that O. Z. Evers, Negro postal clerk, may run for city commissioner of finances and institutions, persisted at week's end.

Evers had indicated he would seek to unseat Fire and Police Commissioner Claude Armour. Thus far, Commissioner Armour is unopposed and Evers is reported to be seeking an easier race.

O. Z. Evers

Asked for comment concerning his political ambitions, Evers said last night that he would have an announcement Tuesday which is the final day to qualify in the Aug. 30 election.

If Evers elects to run for commissioner of finances and institutions, he will oppose two top-flight white opponents, Commissioner Stanley Dillard and James W. "Jimmy" Moore.

It is believed that Evers feels he could make a stronger race against two white men than he could by a "head-and-head" race with Commissioner Armour.

It was reported in Federal Building circles yesterday that Evers may resign his postal job tomorrow. It was explained that he could seek, and probably obtain reinstatement in his Federal job, if he loses his bid for public office.

For Councilman

VOTE FOR

First Ward First District

J. F. McCLELLAN

Election Thursday May 14 1959

Continued growth of our city
Clean, Honest Intelligent Representation
More Playgrounds and Equipment
"Against Spot Zoning"

Traffic Lights at School Crossings
Regular Trash, Garbage Disposal
Storm Sewers for Draining Rain Water

It's TIME FOR A CHANGE

Paid by Friends of Mr. McClellan

Former Orleanian Elected To Oak Ridge City Council

A former New Orleans honor student was recently elected to Oak Ridge, Tennessee's first City Council.

Washington Butler, Jr., son of Mr. and Mrs. W. Butler, Sr., 2027 No. Villere, now residing in the Scarboro section of Oak Ridge, was one of the nine new councilmen named to the city post in the first official municipal election Tuesday, June 2, 1959.

Butler was seated into the council with a four vote margin 108-104 over Rev. Worth Henderson. A total of 5799 voters chose the city's first officials.

Butler is a graduate of Clark College in Atlanta, Georgia. Prior to coming to Oak Ridge, he taught in the public schools in New Orleans and also served three years in the Army.

He is a senior laboratory technician at the Medical Division of the Oak Ridge Institute of Nuclear Studies and has lived in Oak Ridge since February, 1957.

While in New Orleans Butler attended Marie Couvent and the old Gilbert Academy.

Butler is a member of the Masonic Prince Hall Grand Lodge and the Keblah Temple No. 78 and is a member of the Methodist Church.

WASHINGTON BUTLER, JR.

Since coming to Oak Ridge, Butler has been active in many community projects. He was a member of the study committee for health and welfare appointed by Town Council, a member of the executive community Relations Council and and member of the Tennessee Council on Human Relations.

Nashville Attorney Seeks Council Post

NASHVILLE, Tenn. — J. F. McClellan, Nashville attorney and president of the Frontiers Club, is a candidate for City Council from the first district in North Nashville. The election date is May 14.

Mr. McClellan has been a resident of Nashville 36 years. He is a graduate of Fisk University and the Howard University Law School. He is licensed to practice before the United States Supreme Court and is owner and broker for the Frierson - McClellan Realty Company in downtown Nashville.

He is president of the Nashville Chapter of the Frontiers Club of America, Inc., president of the J. C. Napier Lawyers Association, Vice President of the graduate chapter of Omega Psi Phi in Nashville and Vice President of the Board of Directors of the 18th Avenue Youth Center. He is a member of the American Bar Association, the National Bar Association and the St. Andrew Presbyterian Church.

Mr. McClellan led a fight for the new, modern 18th Ave., Center for Race citizens recently constructed and opened and is promising to work for a general betterment of Colored citizens in the First District, First Ward in Nashville.

Oak Ridge Elects Negro Councilman

Daily Worker Atlanta, Ga.
June 6-21-59

By O. C. W. TAYLOR

OAK RIDGE, Tenn. — This city, Tennessee's newest and sixth largest, has elected its first governing council, a justice of the peace and a five - man board of education.

The election brings to a conclusion a move begun in Congress four years ago toward self - government for the atomic city, created in 1942 by the army engineers for the development of the atomic bomb.

Under terms of a 1955 federal law, the multimillion dollar municipal facilities will go to the new community, and the AEC will subsidize the city for 10 years at more than two million dollars per year.

It is significant that a lone Negro, Washington R. Butler, Jr., councilman of the new city with an estimated population of 28,000 and a land area of 94 square miles, Only Memphis in Tennessee has a larger area.

Butler, the son of Mr. and Mrs. Washington R. Butler, of New Orleans, is a senior laboratory technician at the Medical Division of the Oak Ridge Institute of Nuclear Studies and has lived in Oak Ridge since February, 1957.

He is a graduate of Clark College in Atlanta, Ga. Prior to going to Oak Ridge he taught in the public schools of New Orleans and served three years in the Army.

Butler is a Prince Hall Mason, a member of Keblah Temple No. 78, A. A. O. N. of M. S. and the Methodist Church.

In Oak Ridge Butler has been very active in many community projects. He was a member of the study committee for health and welfare appointed by Town Council, a member of the executive committee of the Oak Ridge Community Relations Council and a member of the Tennessee Council on Human Relations.

CITY DESTINY FORECAST

Upon his election, Butler, thanking his constituents stated that "It is evident that the City of Oak Ridge will eventually become the most important city in the state - industry - wise, employment - wise, and as an example of the democratic way of life.

"As a member of the first and probably the most decisive City Council, I will work to help attract new industry to the area, thereby providing additional avenues for employment. By voting for incorporation, the citizens expressed their desire for self government. I will make every effort to insure that citizens may participate fully and freely in local government. I thank God and the citizens of Oak Ridge for the opportunity to serve."

The officials took their offices on Tuesday, June. 16.

In dismissing the case, Mr. Howard said, Judge Everett Shever commented that he was dismissing the case with prejudice and that the plaintiffs and no others can bring the same or a similar complaint in any jurisdiction because the dismissal was by a court in New Jersey, the domicile of the corporation.

After the dismissal, Mr. Howard reported that there was general handshaking and making up.

"With all of the charges, rumors and whispers about the financial affairs of the order," Mr. Howard pointed out that there was no testimony which reflected upon Mr. Hueston and his record in any way. He added that none of the testimony reflected upon any of the grand lodge officers.

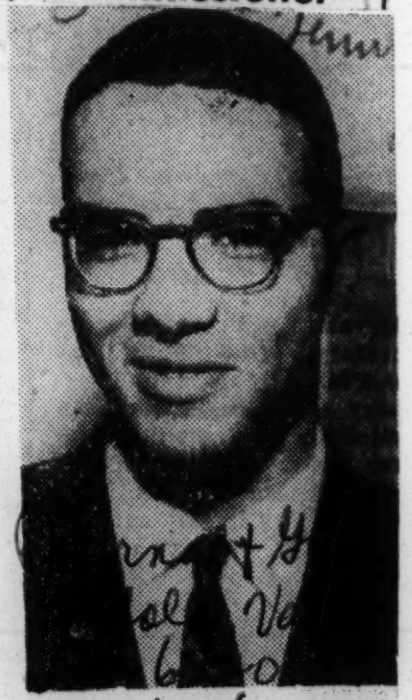
John C. Drew of Camden, N. J., recently elected president of the Jersey State Elks Association, was in court with the plaintiffs and joined in the efforts to settle the case.

Robert H. Johnson, Elks grand exalted ruler, was not present at the trial because of a recent illness, Mr. Howard said, but he kept in touch with developments by telephone from his Philadelphia home.

Hobson Reynolds, director of the Elks civil liberties department and Charles McClane of Steelton, Pa., grand public relations director, in addition to Mr. Hueston, were among the grand lodge officers present in the courtroom on Monday and Tuesday.

The suit was brought by John W. Jones, Linden, N. J.; John A. Whitaker, Newark; William Royster, East Orange, N. J.; Louis C. Spicer, Vaux Hall, N. J.; W. Hollis Plinton, Westfield, N. J., and Carvie G. Hobson, Plainfield, N J. Mr. Hobson died recently.

Candidate For Commissioner



Harvard-educated Russell B. Sugarmon is running in a field containing six white candidates for the post of city commissioner of Memphis. With a split vote among the white candidates, Mr. Sugarmon, supported by colored voters, could win the job.

Oak Ridge Elects Negro Councilman

Birmingham Ala. World Wed. 6-24-59

By O. C. W. TAYLOR

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Fowler Ahead In Poll No. 2; Canale And Sugarmon Next

Commercial Appeal p. 1

Scattered Sampling Of City Vote Limited To Public Works Post And Juvenile Court Race—McCain Leads For Judge, With Huff, Hooks Following

By MALCOLM ADAMS

Here's another sampling of how voters feel about the candidates for city offices.

Memphis, Tenn.

This time we skipped around town, dropping in on citizens in 15 widely scattered voting precincts. We limited our questions to the races for city commissioner of public works and judge of Juvenile Court.

Sat. 7-25-59

Our first sampling last week end was confined to voters in one precinct. In that undertaking, our representatives sought the voting habits in regard to all candidates then qualified in the Aug 20 election.

Sampling No. 2 brought "votes" from 261 whites and 112 Negroes—a total of 373.

30 Per Cent Negro

The number of Negroes who "voted" is 30 per cent of the total—about the same percentage as are registered in the city as a whole.

City Engineer William H. Fowler, incumbent, was out front in the Juvenile Court race. Trailing Miss McCain, in order, were Mrs. Ila Huff, former director of the Girls Club; Rev. Ben L. Hooks, Negro attorney, and Joseph B. McCartie, young attorney.

Total results from the poll of 261 whites and 112 Negroes living in 15 voting precincts showed:

Voters Turn Out In Record Numbers To Select New Officials For Memphis; Negroes Attend Church, Swamp Polls

Commercial Appeal, Memphis, Tenn. Fri. 8-21-59 p. 1

Balloting Steady

Interest Focused On Pub Works Race—Loeb Is Favored For Mayor

By ROBERT GRAY

An aroused Memphis electorate went to the polls in record numbers yesterday to choose city officials for the next four years.

In hot, humid weather accompanied by a beaming late summer sun, voters were in lines of up to 100 or more when the polls opened at 8:30 a.m. The scene at most of the 143 precincts was the same at 7:30 p.m. closing time.

All in line at that hour were allowed to cast ballots.

There was strong indication the total tabulation would b far in excess of the 86,370 vot cast four years ago.

Respond As Expected

The Negro community responded as expected by flocking to the polling places in support of the five Negro candidates, including Russell B. Sugarmon Jr., attorney who made a determined bid for commissioner of public works in competition with four white aspirants.

The four other candidates are running for tax assessor, Juvenile Court judge and two positions on the Board of Education.

After having been urged to observe a day of individual prayer and fasting on Wednesday, Negro citizens yesterday morning attended church services throughout the city for victory prayers.

Following breakfast at the churches, they went to their respective precincts in groups.

The queues were in evidence during the day at many of the ·gro precincts. This was at·buted by election officials to voters remaining within the ng machines more than a ·mal two minutes rather than insufficient number of machines assigned.

One For Each 325 Voters

Nelson Castle, chairman of the Shelby County Election Commission, pointed out that the machines had been allotted throughout the city on a basis of one for each 325 registered voters in the precinct.

Except for the morning and evening rush hours, voting at the predominantly white polling places was steady during the day and there was little or no delay in voting.

Citizen interest—and national attention—was focused on the public works race, where three strong white candidates were splitting votes while Sugarmon was certain of receiving a bloc Negro vote.

City Engineer Will Fowler, considered a strong contender, withdrew from the contest a week ago to preclude a further split, but his name was on the ballot and he received token support.

Commissioner Henry Loeb was the heavy favorite to be elected mayor over four other white aspirants, even though the Volunteer Ticket of Negro candidates openly opposed his candidacy in appeals to their supporters.

The candidates elected yesterday take office Jan. 1.

Others Selected

In addition to mayor and public works commissioner, the other offices being filled were those of fire and police commissioner, public service commissioner, commissioner of finances and institutions, three city judgeships, Juvenile Court judge, tax assessor and four Board of Education posts.

The Aug. 20 election date was set by the last Legislature, having been moved up from November so as to come before opening of public schools, possibly injecting integration as a campaign issue.

Another Negro candidate, the Rev. Ben L. Hooks, had been conceded a fair chance to win the race for Juvenile Court Judge. He finished about 21,000 votes behind incumbent Judge Elizabeth McCaal. Two other white candidates trailed Hooks.

2 Negroes Lose Voting In Memphis

Constitution, Atlanta, Ga. Sat. 8-22-59 p. 1

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A total of 130,276 votes was cast, shattering the previous record of 86,370 counted in the 1955 city election. Of the registered 57,109 Negroes, an estimated 62 per cent voted.

3 NEGROES BID FOR MEMPHIS PUBLIC POSTS

Daily Tribune, Chicago, Ill. Fri. 8-21-59

Memphis, Aug. 20 (UPI)—Negro voting was heavy but balloting was slow city-wide Thursday on Memphis' municipal elections, as Negroes sought to capture major offices here for the first time since reconstruction.

There was a lengthy ballot with 42 candidates vying for 14 offices. Altho voting machines were in use, there were long lines of voters waiting at many of the city's 143 precincts.

The polls close at 7:30 p. m. and officials said anyone waiting in line at the time the polls closed would be allowed to vote. Thus delay in counting was indicated.

Campaign Is Intense

Campaigning was intense on behalf of five Negro candidates, and Memphis—long the stronghold of a political organization of the late E. H. Crump—faced the situation of an overcrowded field of white candidates opposed by a bloc-voting Negro minority.

Interest was centered on a bid by a Negro attorney Russell Sugarmon Jr., 30, to win election as city public works commissioner. He was the only Negro on a list of six candidates and observers gave him a strong chance.

There were appeals by many Memphis political and civic leaders for the white candidates in the race to thin their ranks. Only one withdrew, however, too late to get his name off the ballot.

Third of Population

Negroes, making up a third of the population of this mid-south cotton capital, held all-night prayer meetings Wednesday night to climax fervent campaigns on behalf of their candidates.

One other Negro, the Rev. Ben L. Hooks, was believed to have a good chance of election as juvenile court judge. He was the only Negro in a field of five.

The possibility of Negroes taking office here brought threats from segregationists in adjacent Mississippi to boycott Memphis merchants. The chamber of commerce said it received a number of such letters.

There were 57,109 registered Negro voters in the city, of a total registration of 187,541. Observers predicted a record 100,000 vote turnout.

Gets Bomb Threat

One of the candidates for public works commissioner, Sam Chambers, reported he received threats that his home would be bombed if Sugarmon was elected.

Chambers said a call was made to his home Wednesday night by a man identifying himself as a member of the "confederate underground," saying that unless Chambers withdrew "we'll bomb you and every member of your family."

A segregationist candidate for mayor, Willis Ayres, said he understood that if Sugarmon should win, the city commission would strip the public works department of all duties except garbage collection.

Memphis Could Elect 4 Negroes

(Special to The Courier)

MEMPHIS, Tenn.—There will be an election in Memphis on Aug. 20, and four Negroes just might be elected.

● There are 188,000 registered voters in this city and included in this number are approximately 60,000 qualified Negro voters.

● Negroes are running for four offices — Harvard-trained Atty. Russell B. Sugermon Jr. for Public Works Commissioner; Ben Hooks, a minister and lawyer, for Juvenile Court Judge, and the Revs. Henry Bunton and Roy Love for school board meets.

There are several white candidates in each of the races, which means that a Negro candidate with the colored vote and some white support has a good chance of winning. It is reasoned that the white vote is bound to be split by white voters, leaving any Negro candidate a chance to make a clear sweep.

■

SOME LEADING whites have asked Negro candidates to drop out of the races. The morning paper, the powerful Commercial Appeal, pointed out editorially, that the climate isn't ripe for a Negro to be elected to office. Yet, the Commercial Appeal made it clear that it is time for Negroes to have some representation and recommended that a Negro lawyer be named an assistant city attorney.

● Some Negroes look upon this proposal as progress, while others say: "They're offering us a mere slice of bread."

One thing in favor of the Negro candidates is this: they have an organization. There is unity among all Negroes in the city. Republicans and Democrats have come together to fight for the common cause. One of the most encouraging features is the enthusiasm that is being shown by the ministers of the city.

■

A VOLUNTEER Committee was set up, headed by Lieut. George W. Lee, the GOP boss, and A. Maceo Walker, the Democratic leader in Memphis. A Volunteer Headquarters is located at 390 Beale.

Rev. Roy Love

Ben Hooks

O. Z. Evers

Elihue Stanback

Russell Sugarman

Rev. Henry Burton

● At the very outset, the committee started raising money to conduct the campaign for the four running on the Volunteer Ticket. Several Negro leaders gave $500 a piece; others gave $300. Each of the four candidates agreed to raise $1,000 a piece. For weeks now, Negroes have been dropping by the campaign headquarters leaving donations.

A Freedom Rally, featuring Dr. Martin Luther King Jr., attracted a crowd of 5,000 at $1 a piece. A Freedom Banquet Aug. 14, at $10 a plate, will bring extra money for the campaign.

■

THE CAMPAIGN committee already has spent several thousands of dollars for campaign literature and bumper stickers. Over a thousand was paid to workers who went from door-to-door in a registration drive. More money will be paid to ward workers and poll watchers.

● Another Negro candidate, not running on the Volunteer Ticket is Elihue Stanback. A printer and an accountant, he is seeking the office of tax assessor. His running mate, O. Z. Evers, who had announced for one of the city commissioner posts, failed to qualify under the five-year residence law.

One thing can be said of Memphis Negroes at this date. They are together on this issue of electing Negroes to public office.

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POLITICAL STRATEGY — Dr. Martin Luther King is looking over some of the political strategy of the four Negro candidates in Memphis. Left to right are: Atty. Ben Hooks, Dr. King, Atty. Russell B. Sugarmon, Rev. Henry C. Bunton, and Eliehue Standback. — (Withers Photo)

Dr. King Urges Memphians To Elect Negro Candidates

MEMPHIS, Tenn. — (SNS) — Dr. Martin Luther King, one of the most famous Civil Rights leaders in America today, told an estimated 5,000 peoples at Mason Temple last Friday night, "since 1954 American Negroes have been standing on the threshold of the most creative period in our history."

He was the featured speaker at a "Freedom Rally" which was sponsored on behalf of the candidacy of Atty. Russell B. Sugarmon, Atty. Ben L. Hooks, Rev. Henry C. Bunton and Rev. Roy E. Love, all seeking offices in the Aug. 20 election.

Dr. King urged his audience to "vote for these candidates because their election will give impetus to our whole Civil Rights struggle to every Negro in the United States." He went on to praise the minister for "working together so beautifully" and for "raising above denominational lines. This unity is magnificant."

THREE PERIODS

Dr. King said that the American Negro has experienced three great periods and three U. S. Supreme Court decisions in "his struggle for full citizenship." He named those periods as:

(1) The period of slavery (1619-1863) when Negroes were things to be used. The Dred Scott decision stated that there's no law which will make the white man respect Negroes.

(2) The period of Restrictive Emancipation (1863) when Negroes were freed from bonded slavery. The Plessy vs. Ferguson decision brought forth the "equal but separate" doctrine, which always placed stress upon the separate "but did nothing about the 'equal.'

(3) The period of Constructive Integration (1954-) when the Supreme Court said there cannot be "equal" before the law if it is "separate." The Brown vs. the School Board is the case which espoused this doctrine.

Dr. King went on to explain there are "giants of economical exploitation which are perperating destructiveness."

LAW HELPS

He warned his audience that "we have a date with destiny. There is is a deadline facing America and the Western civilization. Some people are saying that we are pushing too fast, but we cannot slow-up because the people of Asia and Africa are looking to us for leadership. They are saying that racism and colonialism must go. This deadline is brought on by the very structure of civilization.

Dr. King added "the ballot can help us to meet that deadline. Help elect people from all segments who will help make this democracy a reality."

He continued "we have a legitimate right of representation in city government. Use the ballot to give voice and courage to the moderate whites of the South . . . don't believe that all white southerners want to keep the Negro down." He also said 'I believe in state's rights. I believe in a decentralize government but we also have a right to see that the state does right. I believe that we can change attitudes by legislation. Of course legislation will not make a man love me in his heart, but it will stop him from hating me to the point he will lynch me. We are not asking that the internal habits be legislated; we are asking to legislate the external habits. Don't tell me that law doesn't help."

GEORGE LEE

King slapped at President Eisenhower's "luke warm attitude toward integration by saying "if Ike was a towering personality and took two Negro children and led them up the steps of the white house, segregation would not only be dead but it would be buried."

He urged the audience to vote to demonstrate to "our white brother that we want to be free. I would rather be a poor free man than a rich slave. The absence of freedom is the presence of death."

King was given a raising ovation.

George W. Lee, chairman of the steering committee of the Volunteer Ticket, a noted Republican, was the first to speak. He said "Negroes have in mind of voting 55,000 strong in the Aug. 20 election. What Negroes have in mind is to fight until hell freezes over and if necessary skate across on ice to freedom." He continued "I don't want to be white. I just want to be free . . . to live, to work, and to build the Negroes future in the American pattern of life. I want that same kind of freedom that flows in Chickasaw Gardens.

"I want that freedom that makes a Negro man, a man and a Negro woman, a lady, who can walk the streets with dignity."

Lee went on to point out that in Memphis between 1865 and 1905 Negroes were elected to the city's Board of Education. "We also had three squares and a coal-oil inspector elected right here in Memphis."

FOUR CANDIDATES

The first Negro candidate to speak was Rev. Roy Love, seeking a position on the school board. Here I am running this time because I've enough guts to run — noboby asked me.

As each of the four Negro candidates spoke 22 young people paraded through the temple carrying election banners with their pictures and slogans.

Rev. Henry C. Bunton, also a candidate for the Board of Education, said "we are in a crusade which means more than just trying to win out over somebody. We don't have to slip around behind closed doors to say what we believe (he had reference to white candidates who are afraid to face the racial issue.)

He also slapped at E. L. Washburn, of Lincoln Elementary School. Rev. Bunton said "we don't want any more cold biscuits handed out of the back door. The respectable white people don't appreciate your turning against your own people."

SUGARMON

Atty. Russell B. Sugarmon said "three months ago, if somebody would have said that I would have been standing here and you there listening to me, I would not have believed it."

He continued "we are bringing a brand new day to Memphis. You've heard that democracy can't work in this Dixie town, but we are here to put any end to that lie. Mr. Crump is dead, machine rule is dead and we are going to bury segregation on Aug. 20. Rev. Ben L. Hooks is going to preach the funeral — but there will not be much mourning."

HOOKS

Atty. Ben L. Hooks, also a Baptist minister, said "on Aug. 20 there will be a new chapter written in Memphis. All of the white candidates are telling you that we don't want integration. They are not telling the truth. The white man is a great success in every field but hu-

man relations — there he is a miserable failure."

He continued "There are still a lot of uncle toms around. Preachers who cannot stand up for his people are not fit to represent his people."

REV. OWEN

W. W. Walker, coordinator for the Volunteer Ticket said "any Negro who votes for Henry Loeb should be buried with the other uncle toms, whose funerals we are holding here tonight."

Ray Churchill, the only white candidate to speak at the meeting said, "for 10 years I've fought for the things you are now fighting for. If I am elected you will never have to worry about receiving justice in my court."

Eliehue Stanback, candidate for City Tax Assessor, said "if elected, I'm going to assess tax according to the privileges Negroes receive in public institutions."

Rev. S. A. Owen, pastor of Metropolitan Baptist Church, who introduced Dr. King, said "never before in the history of Memphis have we had such arisement among the citizenry . . . and something is bound to take place on Aug. 20."

Rev. W. Herbert Brewster and Atty. A. W. Willis, Jr., were masters of ceremony. Rev. A. E. Campbell introduced the candidates. Others speaking briefly were Rev. H. H. Harper, Rev. J. C. Mickle, Atty. James F. Estes, George Holloway, Rev. Alexander Gladney, Dr. Vasco Smith, Rev. C. M. Lee and Rev. W. L. Varnado.

Heavy White Vote Defeats Negroes' Bid In Memphis

News + Courier pol. 8-22-59 p 4A.
Charleston, S.C.

MEMPHIS, Tenn. (AP) — An unprecedented 73 per cent of Memphis' registered white voters cast ballots in Thursday's election, smashing a strong bid by Negroes to win a City Commission seat and judgeship.

The top Negro candidate, Russell B. Sugarmon Jr., received enough votes to win past elections but this time the mass turnout of whites snowed him under.

Sugarmon, former Rutgers football player and Harvard Law School graduate, ran second in the five-man race for public works commissioner. He polled 35,268 votes to William Farris' 58,964.

A total of 130,276 votes were cast, shattering the previous record of 86,370 counted in the 1955 city election. Of the registered 57,109 Negroes, an estimated 62 per cent voted.

Segregationists, jittery over the possibility that a Negro might be elected to city office here for the first time, pleaded for a heavy white vote to offset the Negro bloc. The response was greater than they anticipated.

Another Negro candidate, the Rev. Ben L. Hooks, was conceded a fair chance to win the race for Juvenile Court judge. He finished about 21,000 votes behind incumbent Judge Elizabeth McCain. Two other white candidates trailed Hooks.

Henry Loeb III, 38-year-old public works commissioner, was elected mayor in a landslide.

City To Elect Officials Today With Record Turnout At Polls Due To Climax Hot Campaign

110,000 MEMPHIANS MAY CAST BALLOTS

Five Negro Candidates Add Interest With Spotlight On The Office Of Commissioner Of Public Works

By ROBERT GRAY

The political sound and fury of candidates have abated and the voters today take over in the Memphis municipal election.

The polls will open at 8:30 a.m. for the 143 city precincts and close at 7:30 p.m. Those in line at closing time will be allowed to vote.

The weather forecast is warm and humid with thundershowers mostly in the afternoon and evening, with a high temperature of 90.

Names of all 45 candidates for 14 posts will appear on a single ballot in each of the voting machines, precluding the likelihood of a lineup such as occurred at many precincts last year when two ballots were required.

Three of the candidates have withdrawn since the ballots bearing their names were printed. They are Will Fowler for public works commissioner, Heran Tidwell for Juvenile Court judge, and Malone Sims for commissioner of finances and institutions.

Estimates Run High

Estimates on the number of ballots which will be cast vary upward from 90,000.

Veteran political analysts are predicting a total in excess of 110,000. This is their reasoning:

The total vote in the 1955 municipal election was a record 86,370, or about 54 per cent of the total registration at that time of 159,513, including 38,847 Negroes.

There now are 187,541 eligible voters, including 57,109 Negroes.

If 54 per cent of this number votes, the total would be over 101,000.

There is a belief that interest in today's election is running higher than four years ago, and at least 60 per cent of those who are qualified will go to the polls.

If this proves true, the total would be more than 112,000.

Many citizens have a special interest in the mayor's race, where 38-year-old Commissioner Henry Loeb is a strong favorite over three other aspirants. The public works commissioner is now serving his first term in elective office.

Five Negro Candidates

Unusual interest in the election has been created by the candidacy of five Negroes, with each one conceded at least an outside chance to win.

Greatest attention is focused on the contest for public works commissioner in which votes will be shared by four white entries and Russell B. Sugarmon Jr., Negro attorney.

Most speculations have listed 30,000 or more Sugarmon votes, largely from the Negro community, leaving an estimated more than 70,000 to be split by the white aspirants. This possibility has persuaded many voters to abandon personal favorites for someone regarded as most likely to win.

The four white candidates are William Farris, John Ford Canale, Sam Chambers and Samuel Hawkins, who has done little campaigning.

Others Are Listed

Other Negro entries are Rev. Ben Hooks, for Juvenile Court judge; Rev. Roy Love and Rev. Henry K. Bunton for Board of Education posts, and Eliehue Stanback for tax assessor.

Shelby County Election Commission officials last night said they expect vote tabulations to be reported at such a rate that trends in the races will be established by 11 p.m.

An estimated 4,000 absentee ballots will be counted by election officers during the day so as not to delay final tabulations.

Appeal Is Made To All Voters

Memphis Not Yet Ready For Negro Officials

To The Commercial Appeal:

I believe the large majority of our white citizens as well as the majority of our conservative colored citizens have been proud of the fine race relations that have existed in our city, and the way we have worked together. All in all I do not think there is any locality where the colored people are better cared for and have greater opportunity to advance, and where more genuine friendship exists.

It is, therefore, in my opinion, unfortunate and alarming that within the past several months a condition has arisen that threatens to destroy all these good relations.

The condition is the unwise effort of a certain element of our colored people, directed by a radical, agressive leadership, to take over our public positions of Government, and are now waging an active campaign to elect colored people to public offices.

A large number of white men are running for the same office and, while they know if all stay in the race it will elect the colored person, none appear to be willing to put the welfare of the community above their selfish personal ambitions and are determined to run.

I am therefore advising the conservative colored people not to become a part of this unwise movement and not jeopardize the fine relations now existing in order to elect a colored person to a public office in our city. The price paid for this would be daily conflict and unrest. Memphis is just not ready to turn its government over to colored people, and even if a temporary victory is successful this coming election it will be only temporary, but the beginning of years of bad race relations and an end to cooperative help.

I am appealing to white candidates where more than one is entered in a race to get together and run only one white candidate. It is time to put personal ambition aside for community good.

JUNE H. RUDISILL
1773 Overton Park

"Freedom" The Slogan As 5 Seek Posts In Memphis

MEMPHIS, Tenn. — "We just want to be free" is the slogan on which five colored candidates for election to public office in the August 20 municipal elections here are basing their efforts.

The campaigning got a substantial "shot in the arm" last Friday night when the Rev. Martin Luther King, Jr., of Montgomery, addressed a rally of some 5,000 persons and told his listeners that the entire colored race, "not just a few agitators" want to be free.

REV. DR. KING said the Memphis colored ballot could bring true representation, give courage to white moderates, have its influence up to the federal government, and convince the white population that the whole colored race, not just a few agitators, "just want to be free."

THE CROWD entoned periodically: "We just want to be free."

Rev. Dr. King said that "united action" won Montgomery colored citizens the right to sit anywhere they choose on buses.

"Many people still think of Memphis as Mr. Crump's town and us as Mr. Crump's Negroes," said Russell B. Sugarmon Jr., candidate for public works commissioner.

"THAT ISN'T so now," he asserted.

Mr. Sugarmon is running against five white men.

Backdrop—

Negro Candidates Making Their Most Serious Bids

Commercial Appeal Memphis Tenn.
8-16-59 p. 4

Regardless of the outcome, the city election Thursday offers a number of innovations as far as Memphis politics are concerned.

Never before in this century have Negro candidates made such serious bids for municipal offices. These aspirants are seeking five posts and the possibility of at least one of them winning by a minority vote has become the dominant aspect of the entire campaign.

The fervor with which the Negro community is working in behalf of these candidates is unparalleled. Support is being sought directly through the medium of churches, which is in contrast to past years when political cliques headed the offensive.

Henry Loeb

As recalled in this column recently, the high vote received by a Negro candidate in a local election was 26,226 recorded for S. A. Wilbun as a candidate for the Legislature last year.

Predictions are that the record will be broken when Thursday's tabulations are complete.

Another unusual feature is the presence of a race in which two white candidates are believed by longtime political observers to be running neck-and-neck. The reference, of course, is to the public works commission contest. The bunched aspirants are John Ford Canale and William Farris. Will Fowler, another top contender, withdrew yesterday.

The Thursday voting is expected to bring a new record total of votes for a Memphis election. The consensus is that about 100,000 ballots will be cast, with some estimates as high as 125,000. The present record is 86,370, cast in the 1955 municipal election when the present administration was named.

The campaign already has produced a new local characteristic—the practice of presenting candidates on television under a free equal-time policy. This has given greater recognition to the so-called splinter candidates who have no campaign funds and have little or no paid political advertisements or announcements.

Claude Armour

Unprecedented is the effort exerted to remove candidates from a contest by personal persuasion. Commissioner Henry Loeb and Commissioner Claude Armour, themselves candidates though with opposition believed to be less than a serious threat, reacted to public opinion in requesting the public works entries to thin their ranks to prevent a minority vote winner.

MUCH COMMENT has sprung from the Loeb-Armour effort.

The joint action reflects a blooming political friendship between the two in recent months after having figuratively been at each other's throats for some three years.

The idea of having them try to "do something" as a team about the public works race came from a mutual friend also concerned about a minority vote winner.

As for making an endorsement, in lieu of the public works aspirants making a move, Commissioner Loeb was willing to pick a single entry while Commissioner Armour favored two or nothing. The value of picking two was labeled as questionable by the experts.

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TENNESSEE

Negro Voting Heavy In Memphis Election

Daily World Atlanta, Ga.
Sat. 8-20-59 p. 1

BULLETIN

MEMPHIS, Tenn.—Atty. Russell B. Sugarmon, Jr., trailed two white opponents in his bid for Memphis Public Works Commissioner and apparently has lost his bid to become the first Negro official elected in that city since Reconstruction. With 33 of 143 precincts reporting, Sugarmon trailed incumbent William Farris 11,892 to 3,323. Rev. B. L. Hooks had 2,929 votes to trail incumbent Judge Elizabeth McCain with 11,476. Other candidates on the Sugarmon, Bunton, Love and Hooks ticket were far behind.

MEMPHIS (UPI)—Negro voting was heavy but the balloting was slow city-wide Thursday in Memphis' municipal elections, featuring a bid by Negroes to capture major city offices here for the first time since Reconstruction.

There was a lengthy ballot with 42 candidates vying for 14 offices. Although voting machines were in use, there were long lines of voters waiting at many of the city's 143 precincts.

The polls closed at 9:30 p. m. and officials said anyone waiting in line at the time the polls closed would be allowed to vote. Thus delay in counting was indicated.

Campaigning was intense on behalf of five Negro candidates, and Memphis—long the stronghold of a dominant political organization of the late E. H. Crump faced the situation of an overcrowded field of white candidates opposed by a bloc-voting Negro minority.

Interest was centered on a bid by Negro attorney Russell Sugarmon Jr., 30, to win elections as city public works commissioner. He was the only Negro on a list of six candidates and observers conceded him a strong chance.

There were appeals by many Memphis political and civic leaders for the white candidates in the race to thin their ranks. Only one withdrew, however, and too late to get his name off the ballot.

Negroes, making up a third of the population of this mid south cotton capital, held all-night prayer meetings Wednesday night to climax fervent campaigns on behalf of their candidates. One other Negro, the Rev. Ben L. Hooks, was conceded a good chance of election as juvenile court judge. He was the only Negro in a field of five.

There were 57,109 registered Negro voters in the city total registration of 187,541. Observers predicted a record 100,000 vote turnout.

Memphis Vote Could Elect First Negro

Courier-Journal Louisville, Ky.
Thurs. 8-20-59

Memphis, Aug. 19 (AP)—The hottest municipal campaign in years drew toward a close Wednesday with segregationists fearful a strong bloc vote will elect a Negro to office for the first time in the city's history.

Russell B. Sugarmon, Jr., a Harvard-educated Negro attorney, is given an almost even chance of winning the race for public-works commissioner.

Sugarmon, 27, is running against four white candidates in Thursday's election. He could win by polling a strong Negro bloc vote while his opponents divide the white vote.

Record Vote Forecast

There are 187,541 registered voters, of whom 57,109 are Negroes. A record 100,000 vote is forecast.

Four more Negro candidates are running for other City offices, but only Sugarmon is given a strong chance to slip in.

The Negro minority vote here gradually began gathering power after the death of E. H. "Boss" Crump and his political machine in 1954. In Crump's heyday, Negroes generally voted along with whites for Crump's candidates.

Memphians See Good Chance To Win In Election

Chicago, Ill.
Sat. 8-15-59

MEMPHIS, Tenn. — Lt. George W. Lee, one of this city's most influential Negroes, recently declared, "We're going to fight 'til hell freezes over and, if necessary, skate across on ice in order to keep freedom moving in the right direction."

Speaking at a big political rally at Mason Temple here, Lee told the more than 5,000 persons present that the meeting was the "largest and most enthusiastic political rally for Negroes in Memphis history."

The rally, conducted to gain support for Memphis Negroes seeking offices in the Aug. 20 city election, lasted nearly three hours.

Lee, interrupted 17 times by thunderous applause, said, "The issue in this election is to find out whether in Southern Democracy a Negro boy can live as a man and a Negro woman as a lady."

The Rev. Martin Luther King, famed leader of the Montgomery, Ala., bus boycott, urged the Negroes to take their friends and neighbors to the polls and elect Negro candidates to city offices. The crowd promised Rev. King they would follow through on his appeal.

"If you elect these men, you will do something that has not been done in our whole civil rights struggle," Rev. King said. "You will give impetus to the Negro movement in the South, and new courage to Negroes throughout the nation."

Rev. King added, "Your vote will show people we really want representation. And it will give voice and new courage to white moderates of the South. If you vote and win, there will be white people in Memphis who will come out and make it clear that they will stand up with you."

Memphis May Elect Negro Officials

Daily Home Talladega, Ala.
Thurs. 8-20-59

MEMPHIS, Tenn. —(AP)— Segregation forces were jittery today in an election that might send a Negro to city office.

For the first time in the history of this city of the Deep South, Negro candidates loomed large in two races—public works commissioner and juvenile judge.

Negro leaders prayed for rain, which could increase the Negro turnout by stopping cotton picking in surrounding areas. Many Memphis Negroes make daily trips to nearby fields during the picking season.

The polls opened at 8:30 a.m. in the 143 precincts and closed at 7:30 p.m. There were 187, 541 registered voters, 57,109 of them Negroes.

In the crowded race for public works commissioner, Russell B. Sugarmon Jr., a Negro lawyer educated at Harvard, was given an almost even chance of victory.

Sugarmon, 30, ran against four white candidates. His chances depend on his pulling a strong Negro bloc vote while his opponents split the white vote. But he claimed some white support.

The Rev. Ben L. Hooks, an attorney and preacher running for judge of juvenile court, urged Negroes to "miss those cotton trucks tomorrow and go vote."

Negroes have run for office here before but none ever came close to winning.

Memphis And The Negro Vote

Birmingham, Ala.
Thurs. 8-20-59

The effect of Negro bloc voting in any numbers was clearly demonstrated in the Memphis municipal election of Thursday. It generates white bloc voting and in far larger numbers than normal.

The Memphis election closely resembled two-party contests more familiar to Northern voters than those of the South. In the case of Memphis, however, color, rather than party affiliations, decided the factionalism.

Negro citizens of Memphis made their greatest effort yet to gain representation among the public offices of the municipality, putting five candidates in the field. Topping the Negro ticket was Russell Sugarmon, Jr., 30-year-old lawyer and Harvard graduate, a candidate for public works commissioner. The Negro ticket also included two candidates for school board, one for city tax assessor and one for juvenile judge.

White voters feared that with only one Negro entered in races in which they had chosen to compete, contrasted with several white candidates, bloc voting of the colored citizens might spell success for their entrants. The fact that almost one-third of the qualified voters of Memphis are Negroes appeared to give them a good chance.

Results show that whites, turning out in huge numbers, naturally bloc voted themselves, the result of an energetic pre-election contact program and creation of an unofficial white "unity" ticket. One white candidate in each race attracted an overwhelming number of votes.

In the public works commissioner race, for instance, the white winner, William W. Farris, received 58,951 votes, about 23,000 votes more than Sugarmon, the second place Negro. Each of the white candidates in the races in which Negroes were entered received about the same proportion of votes over the second place candidate. And in every case the second place candidate was a Negro. This has considerable significance.

Bloc voting by the whites and a voter turnout of 129,868, compared to a previous high for a municipal election of 86,370, accounted for the defeat of every Negro candidate. In those races in which

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there was more than one white candidate entered, the second white candidate finished far behind the Negro candidate in total votes.

Registered voter strength among Negroes in Memphis evidently is quite a bit higher proportionately than that in most municipalities of the South. With white voters retaliating with bloc voting tactics of their own, the Negro vote was substantially short of that necessary for election. But a full white turnout clearly was absolutely essential.

Some Negro advocates of greater Negro registration argue that Negroes will not bloc vote. The Memphis developments seem sharply to refute this plea.

There will be increased political efforts by the Negro throughout the South. As in Memphis, bloc voting will surely be met with bloc voting. The duplication of a "white unity ticket," even more formally organized probably than it was in Memphis, will become a fixture in elections in the South wherever Negroes in numbers gain the vote.

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TENNESSEE

Suit Names 'White Only' Primaries

Birmingham Post-Herald

Birmingham, Ala.

Aug. 11-17-59

P/1

34a(2)

MEMPHIS, Tenn., Nov. 16 (UPI)—A Federal Court suit was filed here today to stop Democrats from holding primaries "for whites only" in Fayette County, 43 miles northeast of here.

The Federal Court action was requested by about a dozen Negroes who claimed they were turned away from the polls during the Fayette County primary Aug. 1.

The Negro Democrats claimed they were, in effect, being denied a voice in selection of county officials "because victory in such a local primary election is tantamount to election in the general election."

Asks Injunction

The government suit asked for an injunction against further discrimination in Fayette County primaries and a broad declaration by the court that so-called "white primaries are unconstitutional.

It asks no punitive action against the defendants, nor does it seek to have last Summer's primary set aside.

U. S. Atty. Rives Manker filed the complaint, which included a letter from the Fayette County Election Commission to poll officials. The letter said:

"Only white Democrats are authorized to vote in this primary. If any Negroes should ask to vote in your district, they are to be informed that this is a white Democratic primary and not a general election."

Cites Newspaper Ad

Manker said a notice of the election was carried in Fayette County's weekly newspaper at Somerville, that "this is a white Democratic primary."

"It was all out in the open. They were not trying to hide anything," Manker said.

"What they did in Fayette County seems to be the custom of long standing."

Preston Parks, Democratic Executive Committee chairman, said the "white only" primary was just "poiltical custom."

"I don't know when it started, but it's been a terribly long time ago," he said.

Parks said Negroes could name a candidate to oppose the white Democratic choice in the general election.

J. F. McClellan Announces His Candidacy for City Councilman

A few days ago, J. F. McClellan, attorney, real estate broker, and civic leader, announced that he is a candidate for City Council from the first district first ward, to be voted in the city election May 14, 1959.

Mr. McClellan has resided in Nashville for thirty-six years and has lived in the district for the past eight years. He received his college education here in Nashville, graduating from Fisk University, and is also a graduate of the Howard University Law School, Washington, D. C.

In addition to his law practice in the Courts of Tennessee, he is also licensed to practice before the United States Supreme Court. Mr. McClellan is owner and broker for the Frierson-McClellan Realty Company, 327 Charlotte Avenue.

Mr. McClellan is quite active in civic affairs. At the present time, he served as President of the Nashville Chapter of the Frontiers Club of America, Inc.; president of the J. C. Napier Lawyer's Association in Davidson County; vice president of the graduate chapter Omega Psi Phi Fraternity here in Nashville, and vice president of the Board of Directors of the 18th Avenue Youth Center.

He is a member of Grand Court of Calanthes, Knights of Pythias, Oddfellows Lodge, The American Bar Assoication and the National Bar Association.

In connection with his work on the Board of Directors of the 18th Avenue Youth Center, he led the fight which resulted in obtaining the necessary funds to contract the beautiful building which houses the Youth Center now.

Mr. McClellan is a member of St. Andrew Presbyterian Church, and is the husband of the former Dora Tyler from Durham, N. C. they have two young sons, one six and one three.

Mr. McClellan presents a most constructive and sound platform. He promises that he will support and in all ways encourage any program that has as its purpose the continuing growth of our city; he promises to give whole-hearted support especially to the City Beautiful Commission and its affiliated organizations.

Mr. McClellan will use his influence to improve the general health, education, and welfare of our city, more particularly in the first district, first ward.

Mr. McClellan promises to initiate a program which will give his district a better lighting system in both streets and alleys; more and better recreational facilities for the children, including playgrounds and equipment; better sewers for draining surplus rain water from the streets and property; and to improve sanitation conditions by keeping the alleys clean and by removing the garbage regularly and at short intervals.

Mr. McClellan recognizes the need for better traffic protection and stop lights located especially at all of the school intersections.

Above all, Mr. McClellan promises to be a loyal and a conscientious representative of each and every person in thes district and gives his assurance that he will make himself available at all reasonable times to discuss any matter or problem that citizens in the district may have.

Negro To Run For Memphis Commission

MEMPHIS (AP) — A Negro plaintiff in the Memphis bus desegregation suit announced as a candidate for the City Commission.

O. Z. Evers, 33-year-old postal clerk, said he probably will run for police and fire commissioner in the election next August.

"If all the people of Memphis are to be represented, there certainly must be at least one Negro in City Hall," Evers said.

He charged the present City Commission with straddling the fence on the integration issue.

"Memphis must face this fact," Evers said. "Integration is coming, and soon. We must be prepared for it. We must make sure that it works smoothly. We do not want a Clinton (Tenn.) or a Little Rock in Memphis."

Evers came here from Chicago in 1955. His bus desegregation suit is pending in Federal Court.

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Voter Registration Chm. For Nashville Branch Of NAACP Resigns To Run For City Council

Mr. Lafayette Love of 709 Hart Ave., East Nashville, has resigned his position as voter registration chairman for the local branch of the NAACP, effective April 7th.

Upon receipt of his resignation, the local branch announced that it would continue its work to improve upon the voting strength among Negroes in Nashville by getting more Negro citizens qualified as registered voters.

The president of the local branch Mr. A. Z. Kelly and the chairman of the Executive Committee, V. W. Henderson, said in a joint statement that the NAACP does not support particular candidates for political offices, and that its work in the field of voter registration has always been on a non-partisian basis and will continue to be so.

Mrs. Laura Avery agent for the Union Protective Insurance Company, who has been serving as co-chairman of the Voter Registration Committee, will take over the leadership of the committee.

She announced that the next meeting of the committee will be at St. Andrew Presbyterian Church Friday, April 10 at 7:30.

Mr. Love has stated that he will run for a seat on the city council to represent the third councilmatic district, fourth and fifth precincts of the sixth ward.

For Councilman

VOTE FOR

J. F. McCLELLAN

First Ward
First District

Election Thursday
May 14
1959

Continued growth of our city
Clean, Honest Intelligent Representation
More Playgrounds and Equipment
"Against Spot Zoning"
Traffic Lights at School Crossings
Regular Trash, Garbage Disposal
Storm Sewers for Draining Rain Water

It's TIME FOR A CHANGE

Paid by Friends of Mr. McClellan

ANNOUNCE PLATFORMS — The platforms of Negro candidates for office in the Aug. 20 city election were outlined yesterday by Rev. Henry Buntan (left) for the city Board of Education, Rev. Ben Hooks (center) for judge of juvenile court, and Russell B. Sugarmon Jr., for public works commissioner. Another candidate for the school board, not pictured, is Rev. Roy Love. —Staff Pho

Integration Aim Of Two Negroes

School Board Candidates Pledge Compliance With High Court Ruling

By RICHARD T. ALLEN

Integration of Memphis schools was listed yesterday as the No. 1 plank in the platforms of the two Negro candidates seeking election to the city Board of Education.

The pledge to comply with the 1954 United States Supreme Court decision on school integration was made by Rev. Roy Love, candidate for Position No. 2, and Rev. Henry Bunton for Position No. 3 in the Aug. 20 city election.

They are running on a Volunteer Ticket with Russell B. Sugarmon Jr., Negro candidate for public works commissioner, and Rev. Ben Hooks, Negro candidate for Juvenile Court judge, who also released their platforms.

'Objective' Standards Favored

The two school board candidates said they also favored adopting "objective" standards in the hiring of teachers; division of county school tax revenues on an average daily attendance basis; consolidation of city and county school districts and "elimination of frills and emphasis on fundamentals of education."

Sugarmon said he did not believe the commission form of government was best for Memphis, and advocated a study of various types of government.

Policy Is Outlined

He said sanitary conditions should be improved. He said he would institute a policy of "hiring and upgrading employes solely on the basis of merit and without regard to family connections, political influence, race, creed or color." He said he would also use the influence of his office to bring about an average daily attendance division of county school tax revenue; to raise the salaries of teachers and city employes; to eliminate "police brutality," and to improve the hospital services and facilities provided in the city of Memphis hospitals.

Rev. Hooks said he would render equal justice in all cases "without regard to race, creed or economic conditions." He advocated establishment of two special schools to handle children who refuse to obey school rules and "who by their bad examples contaminate and injure the reputation of the majority of good children."

He said he favored establishment of a training school in Shelby County for youths who are difficult but who should not be sent to a reformatory and the setting up of a domestic relations court.

34a(2) 1959 TEXAS

Runoff Election Tues Dec 8; Hill Makes 2nd Council Bid

The Informer Houston, Texas
Sat 12-5-59

HOUSTON — Voters inside the Houston city limits will trek back to the polls Tuesday to name councilmen for District A, District D, and for city council man- at-large Position No 2, the three positions in which no candidate received the majority of all the votes cast in the general election Nov 21.

Rev Edward Victor Hill, 2-year old pastor of the historic Mt Corinth Baptist Church, first Negro to reach a city council runoff, will try to defeat Frank Mann for city councilman- at-large Position No 2. Mann a former city commissioner riled Negroes with remarks which he made about the Negro race during a 195 political rally at Pleasant Hill Baptist Church.

Matt Wilson, a former veteran city councilman representing the Third Ward area will face Bill Swanson in the District D contest and Rick Cass and Robert Webb will go for the District A race. Incumbent George P. Montgomery did not seek re-election to District A, neither did Councilman Lou Hassell seek re-election to the District D post.

In the city general election, there were seven candidates for the councilman- at-large Position 2, vacated by Garth Bates.

LEAD FIELD

Hill led the field of seven in the race with 12,561 votes and Mann trailed him with 12,04. Hill and Milton King one of the candidates in this same race, were the first two Negro candidates for a city election since 1946, when the Rev L. H. Simpson was a candidate for council.

If Hill goes over the political top Tuesday and becomes the first Negro to be seated on the nine-member council, his victory votes will depend largely upon the 27 predominant Negro boxes and the seven boxes populated quite well with Negroes.

Mrs Chas E. White in 1958 became the first Negro to be named as a member of the Houston School Board, a separate and different political subdivision of the state of Texas, than the city of Houston.

limits and out into the county. Residents in two of the largest Negro neighborhoods, Acres Home and Galena Manor cannot vote in the city elections. Galena Manor is a part of the city of Galena Park and Acres home is in the county.

Incumbent Mayor Lewis Cutrer had some what of a record by not having opposition in the mayoral race Nov 21. The five other incumbents, Councilmen Bill Ragan, Lee McLemre and W. H. Jones were re-elected n the Nov 21 general election.

Deadline for absentee voting in the city secretary's office is 9 p.m. Friday Dec 4. Workers who are slated to be out of the city, and those who for some reason may be out of the city Tuesday can cast absentee ballots, and also those who are scheduled to be in the hospital for medical reasons can also vote absentee.

There are parts of the Houston cincts are:

Precinct	Location—Presiding Election Judge
24	Dotson School, 1808 Sampson — Fred W Scott
25	St James B C, 3438 Francis — Mrs C V Adair
30	Gregory School, 1400 Wilson — Mrs Arditha Woods
47	Langston School, Quitman & Jensen—Mrs E H Dobbins
48	Bruce School, 813 Cage — J W Peavy
68	Belmont Sunnyside School 7800 ScottSt—Milton Pruitt
158	J C Reynolds School Rosehaven & Sunbeam—Joe R Harrison
159	Kelly Courst, 1119 Grove — Sampson Ross
160	E O Smith Junior High Greggs and Lyons—Mrs O L Oliver
161	Atherton School, 2400 Schweikhart — H P Carter
164	Clinton Park Bldg, 9525 Clinton — Joseph Carper
182	Sanderson Sch 7110 Lavender — Mrs Othello Moore
186	Grant Park Civil, 4419 Octavia — L A Ashley
192	Burrus School, 01 East 33rd — Earl Pruitt
193	Blackshear School, 2900 Holman — Dr Chas E White
195	Salem Bapt church, 314 E 33rd — John Scott Gray
196	Ryan Ele School, 4000 Hardy — B C Cleveland
199	Ryan Jr Hi School, 2610 Elgin — Robert Edwards
201	Dogan School, 4202 Liberty Rd — Robert Fullove
202	Phillis Wheatley School — Dr L E Smith
209	Mt Sinia B C, 908 West 8th — Miss Bertha Johnson
230	Forest Lawn BC, 5009 Weaver Ro—Mrs Rosa Johnson
240	Johnson's Garage, 8947 Delilah — U S Maxey, Sr
247	Cuney Homes, 3262 Truxillo — Mrs Abbie Evans
253	B C Elmore School, 8200 Fields — Isiah M Moore
259	Pleasantville School, 1431 Gellhorn—Judson W Robinson
271	Rhoades Sch 4103 Selinsky — Raymond N Hamilton

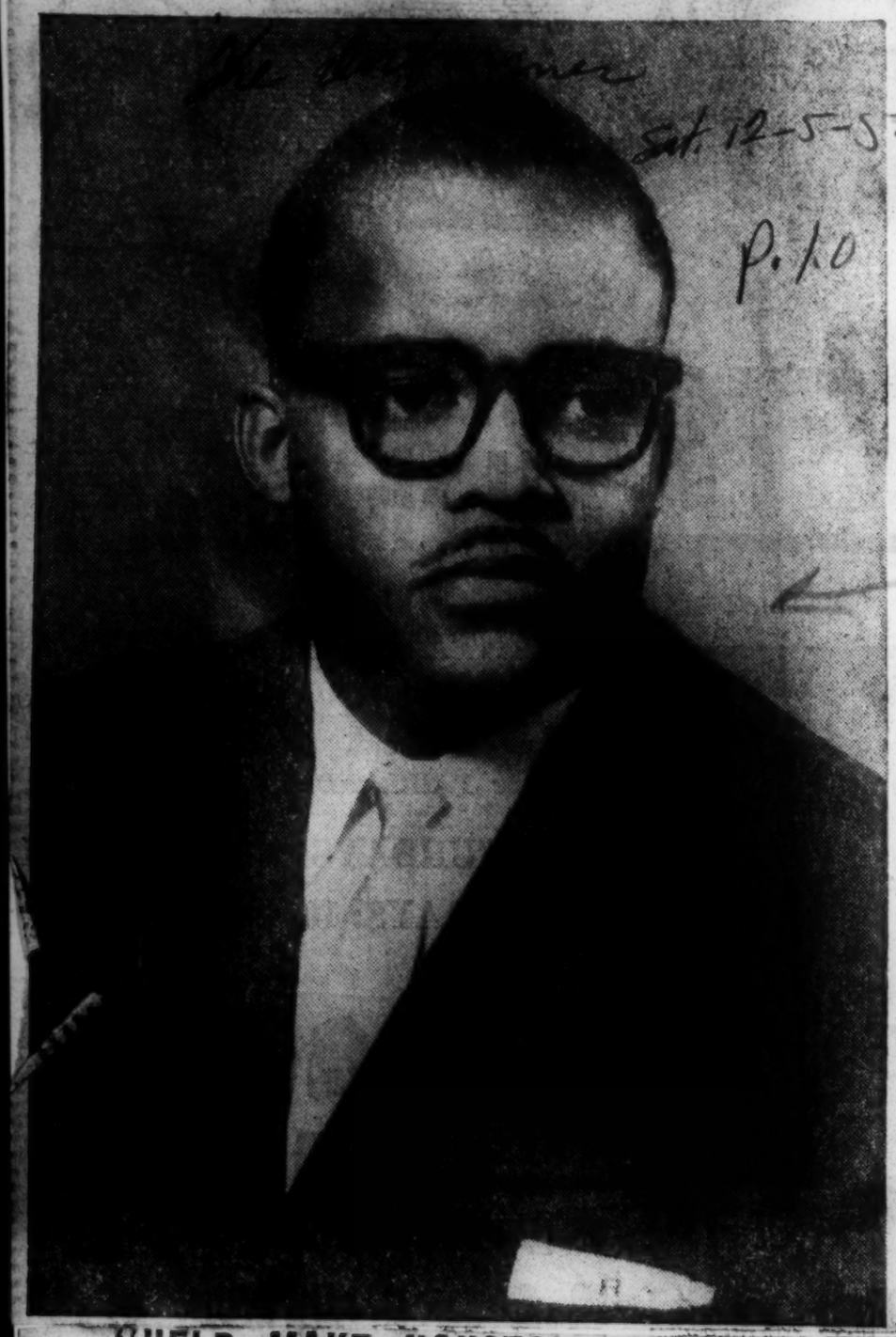
The seven city precincts that are very wel populated by Negroes, but not as predominan as the 27 most predominant Negro boxes are:

Precinct	Location—Presiding Election Judge
19	Dunbar School, Gray-Chartres — A W Martial
42	Sherman School, 1505 Lorraine — W B Moody
85	No 25 Fire Station, 3104 Blodgett — J L Ross
136	Turner School, 3300 Rosedale — Mrs J Edwin Smith
138	Betsy Ross School, 2819 Bay — Mrs Verna M Gordon
144	Kashmere Gardens Civic, 5310 Lockwood—Mrs Ollie L Woodard
210	Miller School, 1906 Cleburne — Sid Hilliard

Greater Third Ward Citizens League is sponsoring a rally Monday at Trinity East Methodist Church. All candidates are invited to attend. M. L. Ward, league president, said a voting machine will be available for demonstrations.

THANKS: For Your Previous Vote & Support

PLEASE GO BACK TO THE POLLS TUESDAY DECEMBER 8TH AND



VOTE

AGAIN FOR

EDWARD V.

HILL

COUNCILMAN AT-LARGE

POSITION NO. 2

1. The Leading Candidate
(Led The Field In A Race Of Seven)
2. Best Qualified
(Proven Record)
3. Now Serving Houston
(In Many Civic Capacities)

"HELP MAKE HOUSTON THE CITY OF GOOD GOVERNMENT AND GOODWILL."

VOTE TUESDAY DECEMBER 8th FOR

EDWARD V. HILL— FIRST ON THE BALLOT

COUNCILMAN - AT - LARGE POSITION NO.2

May Hire Negro As Assistant District Attorney

DALLAS. — District Attorney Henry Wade is considering hiring a Dallas Negro lawyer as a combination prosecutor-investigator, it was learned here recently.

The hiring of George Washington Jr., expected around June 1, would break the color line in the District Attorney's office.

Wade explained that the 29-year-old Washington would work exclusively in cases involving Negroes. His work would primarily be investigation, Wade added, but he could prosecute in trials where the defendant and complainant are Negro.

"He (Washington) is levelheaded and is qualified for a job," Wade said.

Washington filled out a job application form Saturday and discussed employment with Wade.

Washington would have been hired in 1954, the DA added, but he entered the Army to fulfill his service obligation. He was honorably discharged in 1957 with a sergeant's rank.

Washington was one of the first Negroes to enter the University of Texas law school when the race line was broken there. Washington followed Herman Sweatt, the first Negro to enter the law school. Sweatt later flunked out.

After he got his law degree and completed his Army hitch, Washington set up a law practice in Dallas. He is a bachelor and lives at 3920 Wilder.

While attending law school, Washington worked nights as a porter in the State Senate. He received a commendation from the senators for his work.

Included in Washington's application form is a letter from State Sen. George Parkhouse which praised Washington's ability. The Dallas legislator recommended him for employment in 1954 when he sought investigator's work.

Washington is now studying for a master's degree in government at North Texas State. If a vacancy comes, he will be hired around June 1, Wade said.

"I think he would be a help to [illegible] office and to law enforcement," Wade commented.

In other county law agencies, Sheriff Bill Decker has two Negroes working as deputies. Jesse Gill serves civil court papers and Willie Smith is a jailer.

Other Negroes are employed in the courthouse as porters and janitors

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Two Women Among Aspirants For Political Offices

5 Candidates Seek Posts In Nansemond

SUFFOLK, Va. — Five colored candidates are seeking office in Nansemond county in November's general election.

All are vying for posts in the county's Cypress district, a predominately colored settlement.

AMONG THE five candidates are two women who are running for justices of peace. Also seeking re-election as justice of peace is Charles E. Cross, colored incumbent. All three have been endorsed by the Independent Voters League of Suffolk and Nansemond county, which demonstrated its power in the July 14 primary by having all candidates it endorsed win. Each magisterial district is allowed three justices of the peace.

The two other colored candidates are running in a three-man race for the Cypress seat on the county's board of supervisors. They are Moses A. Riddick, Jr., veteran political sparkplug for colored citizens in this area, and John Crute, a newcomer on the political scene.

JOHN CRUTE
Supervisor Candidate

MRS. LORENE LASSITER
Justice of the Peace
Candidate

MRS. LENORA SKEETER
Justice of the Peace
Candidate

ALL COLORED candidates are running as independents.

Seeking re-election on the board is N. T. Poarch, white incumbent, who beat out Riddick by a slim margin four years ago.

BUT, RIGHT now all eyes are sharply focused on candidates for Cypress district seat on the board. Colored voters here are crying, "Let's have one candidate— and not split the vote."

However, in all likelihood, it'll be Riddick or Crute against Poarch before Nov. 3 rolls around. Both men agreed this week that they would "go in conference" with hopes of settling which one would be the standard-bearer.

MOSES A. RIDDICK
Supervisor Candidate

Mr. Riddick, who is executive secretary of the IVL, says he thinks his chances of winning are "very good," despite the fact he lost to Mr. Poarch last term by about 53 votes. The executive secretary added that he hoped the "same unfortunate situation doesn't occur again this year."

ON THE OTHER had, Mr. Crute believes Mr. Riddick "should give somebody else a chance." Mr. Crute, a railroad employee, added "He (Riddick) has had his chance —and lost." The newcomer pointed out that despite the fact he had to hurry to Richmond to beat the filing deadline last week, his decision "wasn't a hasty one." He further stated that he had the backing of the Masonic Lodge in Suffolk and "most of the "citizens" in his community of Jericho.

If Riddick or Crute wins, it won't be the first time a colored man has been placed on the board. Back in 1947, William Lawrence was elected for the Cypress district by a 2-vote majority. He was backed by the IVL.

Virginia Town "Accidentally" Elects Negro

FARMVILLE, Va. (UPI) — James L. Carter said Friday it was somewhat of a shock to learn he had been accidentally elected to a justice of the peace post in staunchy - segregated Prince Edward County.

Carter, a Negro who was soundly trounced for the board of supervisors in the Nov. 3 statewide election, received nine write - in votes for justice of the peace in a race that had three vacancies but only two white candidates.

Carter, a barber, was notified he could fill the third spot with his write - in support.

"I believe I'd rather have this position," he said. "I think I'm better qualified for it."

It was uncertain how much work he would have to do. Justices can certify certain legal papers such as deeds or issue warrants when asked by peace officers.

Prince Edward County was an original defendant in the 1954 Supreme Court desegregation case and last July closed all 21 of its public schools to avoid a final order to integrate this fall. The white students have attended private classes while some 1,700 Negro students have had to do without formal schooling.

N. C. Offers Example

Almond Urged To Place Negroes In State Posts

Special to Journal and Guide

RICHMOND, Va. — Gov. Almond was advised to look to neighboring North Carolina as an example in considering a request by the North Virginia councils on human relations to consider colored citizens for public office in the state.

The councils representatives met with the state's chief executive Wednesday to request that he place qualified colored persons in state posts toward the end of smoothing the way for ultimate integration in public affairs.

THE GOVERNOR was also asked to reopen schools he has closed under the state's "massive resistance" laws and to lend his support to efforts to retain public education in the state.

Re-establishment of lines of communications between the races was also urged during the 40-minute conference between the governor and representatives of Human Relations Councils in Fairfax, Prince William, and Alexandria.

• • •

THE EXAMPLE set by North Carolina in integrating colored leadership into public affairs is one worth following.

John R. Larkin, consultant to the N. C. State Department of Welfare, is also a member of the state's Committee For Improved Courts; W. J. Kennedy, Jr., is a member of the state's Recreation Commission; Dr. H. L. Trigg is on a commission which supervises the department of corrections and prisons; and colored citizens also hold responsible positions on commissions and state committees which deal with education, conservation, agriculture and other aspects of public affairs.

With the single exception of a member on the state advisory committee to the Civil Rights Commission no colored citizen in Virginia serves on any state-level commission, authorities or committees, even in advisory capacity.

Virginia Re-elects Sen. Harry Byrd

RICHMOND, Va. (AP) — Sen. Harry Flood Byrd (D-Va) won easy re-election Tuesday for a fifth six-year senate term.

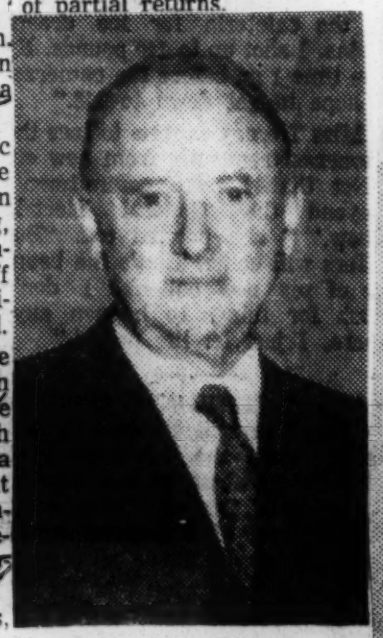
The 71-year old Democratic leader who decided to quit the Washington scene and then changed his mind about retiring, accomplished what had been conceded on all sides by standing off the challenge of a woman physician making her first political bid.

Dr. Louise Wensel, 39, made her bid against Byrd in opposition to the state's program of massive resistance to integration which has already closed nine Virginia schools. But, as an independent candidate with no party machinery behind her, she never represented any threat to Byrd's victory.

She ran up respectable totals, however, in Norfolk and Charlottesville, sites of eight of the nine school closures, as well as in Roanoke and other urban areas.

Returns from 542 of the state's 1918 voting precincts gave Byrd 81,920, Wensel 27,647 and Clarke T. Robb (Soc-Dem) 4,991.

In the two key congressional elections in the 6th and 10th districts Republican Reps. Richard Poff and Joel T. Broyhill were holding modest leads on the basis of partial returns.



SEN. HARRY BYRD
Wins Easily

Councilman—

Republican leaders will honor the memorable victory of John Copenhaver and Councilman Dr. A. L. Harris, above, first Negro to hold that post in Charleston, W. Va. Dr. Harris unseated his opponent by a vote of more than two-to-one.

Was Target Of Sniper's Bullet

MOSES RIDDICK
Almost Shot Down

'MODERATES' GAIN GROUND

Segregationists Lose In Virginia Primary

By WILLIAM B. MEAD
United Press International

RICHMOND, Va. (UPI) — Virginia's moderate local option approach to integration, built from the ruins of the court-crumbled "massive resistance" laws, gained ground today as result of a hard-fought Democratic primary election.

Key legislators supporting Gov. J. Lindsay Almond's program of "freedom of choice" fought off segregationist candidates to win renomination Tuesday.

The Almond forces even picked up one vote in the state Senate, where their margin of victory was only one vote last spring. Former Sen. Victor P. Wilson ousted incumbent Stuart E. Hallett of the "massive resistance" forces in Hampton and Newport News.

Also bounced from the legislature was delegate Inez Baker of Portsmouth, who had called for a stronger anti-integration policy She was swamped by Donald Sandie, an Almond supporter, while Willard J. Moody who also supported Almond won renomination for Portsmouth's second seat in the House of Delegates.

Mrs. Baker's defeat was offset by the victory in Charlottesville, where school integration begins next September, of Harold M. Burrows who edged incumbent William R. Hill, an Almond backer.

The election battle centered on the Senate where Almond's program underwent severe tests last spring.

The "freedom of choice" program passed then allows localities to choose a number of courses rather than close their schools in defiance to accepting integration.

Was Active In Election Campaign

Powerful Nansemond League Sec'y Fired Upon From Ambush

Special to Journal and Guide

SUFFOLK, Va. — A few hours after a slug from a .38 calibre pistol fired from ambush narrowly missed putting an end to his activities, Moses Riddick, active young political and civic leader of Suffolk and Nansemond county, was back on his "job" of getting out the area's vote in this week's Democratic Primary elections.

The slug was fired through the door of Riddick's car here late Saturday night just as he was to have stepped inside. But Sunday morning, Riddick was up and around making calls at churches and at neighborhood gatherings championing his own brand of politics.

HE HAD TOLD police officers Saturday night that he believed that the shot fired at him was because of his political activities in the current campaign.

The energetic executive secretary of the Independent Voters League—a group of civic groups scattered through the county of Nansemond and the

City of Suffolk—said he and a friend, Pomp Kelly, had just walked out the back door of his office on E. Washington street here about 11:45 Saturday when the shot rang out.

HE SAID HE and his friend had hesitated at the back of the car in the pitch-dark alley when the shot was heard.

The two men said that they ran through a number of back yards and alleys in the vicinity to escape the marksman. Later they called police officer from brightly-lit Washington street.

INVESTIGATING officers found that the chrome strip on the driver's side of Riddick's car had been pierced by a single slug which also ripped though the metal door of the car but failed to penetrate the seat cushion. The slug was recovered.

Riddick insisted that the shot was motivated by politics. He declared: "I don't have any enemies except in politics."

FOR THE PAST several years, Riddick has been the guiding spirit of the civic league which has somewhat successfully made the colored vote an important factor in elections in Suffolk and Nansemond county.

Dean Henderson Lost, But He Polled 10,975 Votes

Journal & Guide Norfolk, Va...
Sat. 7-25-59
P/13

RICHMOND — Although he failed in his bid for a seat in the House of Delegates, Dr. Thomas H. Henderson, dean at Virginia Union University, polled a whopping 10,975 votes to place nineth in the race.

Richmond renominated two of its incumbent state senators and dropped a third. Winners were Sen. Edward E. Haddock, a moderate who counseled compliance with the Supreme Court desegregation decision, and Sen. E. E. Willey, a segregationist who supported the Almond program.

DEL. FITZGERALD Bemiss was third on the ticket to bump Sen. Eugene Sydnor. Lewis S. Pendleton, the candidate of the arch-segregationist Defenders of State Sovereignty and Individual Liberties, trailed the field of five.

Pendleton's total vote of 6,669 was less than Haddock's 13,711.

Other complete totals from Richmond gave Willey 12,860, Bemis 11,790 and Sydnor 11,457.

OF THE SIX incumbents who offered for Richmond's seven House seats, five were successful. Two newcomers carrying the Democratic banner will be T. Colman Andrews Jr., son of the 1956 States Rights candidate for president and Dave E. Satterfield 111, son of the late congressman, Del. Thomas N. Parker, son of State Insurance Commissioner T. Nelson Parker. was defeated.

34b 1959

Lawyers oppose bill banning travel

NEW YORK — A report opposing Administration Bill S. 2700, which would continue the State Department's policies denying passports to American citizens by reason of their political associations, was approved by the National Lawyers Guild. Osmond K. Fraenkel, executive vice president, announced last week.

The Guild report calls attention to the Supreme Court ruling in Rockwell Kent and Walter Briehl vs. Dulles, which construed the existing statutes as a recognition of the fact that travel is a consitutional right of considerable personal and social value.

THE GUILD holds that denial of the right to travel deprives an American citizen of a fundamental right because of his political activities, views and associations, as being the kind of a political "typhoid Mary" whose travel carried unknown dangers.

The Supreme Court has held that the right to travel is part of the "liberty" of which the American citizen cannot be deprived without due process of law of the Fifth Amendment.

The Administration bill authorizes revocation of passports without prior hearing "in violation of the principles of due process," the Guild maintains, and government should be put to its proof before it can take away so valued a right as that of travel.

NEGRO BARBER ACT APPROVED

TALLAHASSEE, June 3 (AP)—A bill which would give the Negroes of Okeechobee County their own barber cleared the Legislature today when the Senate passed the measure.

The bill permits an Okeechobee Negro, who has been an apprentice for 20 years, to obtain a journeyman's license, for which he never has been able to qualify.

Since the death of the long-time apprentice's employer, a licensed barber, the Negroes of Okeechobee have had to travel to Fort Pierce to get haircuts.

500Gs Voted to 'Sell' North on Segregation

By JOHN L. BOYLES
Capital Bureau Chief

TALLAHASSEE — The Florida House Monday killed a bill to give millions of dollars in tax credits to finance segregated private schools but it voted $500,000 to sell the Dixie viewpoint on the race issue to the North.

It voted 70-13 to send to the Senate a bill which would set up a promotion fund and create a commission to advertise the merits of the Southern way of life and the philosophy of segregation.

After the House Appropriations Committee rejected the tax credit bill by a 10-8 vote its proponents sought a two-thirds vote to override the committee report. The vote was 54 for, 37 against and they fell short by seven votes.

The outcome of the fight over the tax credit measure virtually derailed all hopes of the last-ditch segregationists to extend the session in an effort to put over new anti-mixing bills.

Rep. John Crews of MacClenny who outmaneuvered the proponents of the bill argued that it could cost the state "thirty-five to forty million dollars. Any number of private corporations could receive this money that would otherwise accrue to the general revenue fund of the state of Florida."

Crews also warned that the majority of officials of insurance companies are from the North and they would be compelled to make tax-credit donations to private Negro schools as well as white schools.

"You are just taking money from all of the school children of the State of Florida," he declared.

In passing the bill by Rep. William Reedy of Eustis to promote the Dixie story to the northland, proponents had to overcome warnings from critics that the bill would pour tax money down the drain and would have no bearing on the U. S. Supreme Court's desegregation decisions.

Race Bill Clobbered In Senate

By JOHN L. BOYLES
Capital Bureau Chief

TALLAHASSEE—The Senate kept the door closed on drastic racial bills Wednesday by clobbering a measure that could have forced the governor to defy a court integration order. The vote was 29-8.

The Senate's action came after the House had overwhelmingly adopted the bill.

Also on the segregation agenda the Senate passed 27-9 and sent to Gov. LeRoy Collins a House bill that would authorize county sheriffs to close any public beach, park or recreation facility when disorder or violence threatens.

The Senate delayed until today a final vote on Sen. Charley Johns' bill to prohibit teachers from elementary to college level from teaching integrated classes except when compelled by a court order or by the assignment of local school boards.

Johns amended the bill to exempt Florida State University's participation under the existing bootstrap program of the armed services under which FSU instructors are flown all over the South to teach classes on military bases.

But he agreed to postpone a vote on the bill when Sen. Emory Cross of Gainesville reminded Johns that a Negro was voluntarily admitted to the University of Florida law school and the university might have to be closed down unless the bill was further amended.

In other action the Senate sent to the House:

A bill to make teaching integration in Florida's public schools grounds for dismissal but provided the law could not violate the teacher's right of free expression outside the school. The vote was 34-3.

A bill recommended by Attorney General Richard Ervin which would permit county school boards to conduct elections to obtain the thinking of people in their county on assignment of Negro pupils to all-white schools; establishment of schools segregated by sex and on the proposed reopening of schools suspended for any reason. The vote was 31-6.

Sen. Horrie Hair of Live Oak who introduced the bill declared "this has nothing whatever to do with closing any school."

Sen. Joe Eaton of Miami made a fighting speech to help kill the bill designed to force the governor to follow a course dictated by the Legislature in dealing with mixed school cases.

Under the proposal by Sen. Johns the governor could be impeached for refusing to direct the removal of Negro or white pupils from a school and for failing to order the sheriff to cope with threatened violence or disorder.

Eaton declared "this bill violates every principle of the constitution of the State of Florida."

Johns had explained the bill was patterned after a Texas law used by former Gov. Alan Shivers in the Mansfield, Tex., school case to remove Negro pupils from a school when violence occurred.

Eaton asserted the governor has ample powers to deal with violent situations and warned against following action of other states.

AMONG HOUSE BILLS

Teacher Morals Probe Act Voted

Times-Union Wire Services

TALLAHASSEE, May 28—A bill to empower the State Board of Education to investigate charges involving the moral turpitude of teachers was approved unanimously by the House today.

There were objections to a provision under which the board could appoint officials of the Florida Education Assn. to make the actual inquiry.

But sponsors said the bill bristled with safeguards for the teachers and was no threat to them.

The final bill was a compromise version drawn up after the original bill hit a solid wall opposition in the House last week. Opponents then objected it was too broad.

The bill resulted from the recent legislative investigation of homosexualism at the University of Florida.

Penalty Tightened

The House voted 81-2 to double the penalty for contributing to the delinquency of a minor and sent the bill to the Senate.

The measure raises the penalty from a $500 fine or six months in jail to a $1,000 fine or one year in jail.

The House turned down a bill which would permit municipal law enforcement officers to pursue persons suspected of committing a felony outside the city limits.

A bill aimed at merchants who use fraudulent advertising passed 65-6. It now must go back to the Senate for concurrence in some minor amendments adopted by the House.

The measure would require merchants to obtain a permit before they advertise "fire, going-out-of-business, liquidation or removal sales."

The House also approved a bill aimed at persons and organizations who "stir up" lawsuits.

2 Bills Passed

And it passed two bills which would give the beverage director civil jurisdiction over dealers accused of cigarette tax collection violations. Under present law the director may suspend or revoke licenses but the bills would permit him to levy fines up to $500.

Another bill passed in the House authorizes county judges to appoint subagents for the sale and issuance of hunting and fishing licenses.

The House approved a bill which would extend the cigarette tax to include packaged cigarette-like items rolled in brown paper. Sponsors said the "little cigarettes" look somewhat like cigars but actually are closer to cigarettes and should be taxed as such.

Also passed to the Senate was a bill designed to promote the free flow of milk from one area of the state to another where there are surpluses.

Rep. Roberts of Palm Beach said the measure calls for a fee to be paid by producers and distributors to pay for the program.

Black Belt Threats Echoing As General Appropriation Bill Is Taken Up In House

MONTGOMERY (AP) — The House Ways and Means Committee took up the important general appropriations bill today in the face of black belt threats to delay its passage.

Russell County Rep. Joseph W. Smith, chairman of the powerful 16-member group, said the committee would hear comments from legislators as consideration of the money bill began.

The general appropriations bill proposes a 72-million-dollar budget to carry on the state's non-educational functions during the next two fiscal years. School funds are requested in a separate measure.

Black Belt legislators, aware the administration wants speedy passage of the general funds bill, have said they may seek to hold up its enactment until late summer by filibusters and other delaying tactics.

If they could keep state government guessing until then about available operating money, Black Belters probably would have a stronger hand in dealing with Gov. John Patterson's demands for heavier school taxes and legislative reapportionment.

Other committees scheduled to meet today are the Senate Privileges and Elections Committee and both the Senate and House judiciary committees.

Meanwhile, the Senate committee on municipalities met after Tuesday's legislative session and approved a bill to thaw out a freeze on small loan licenses. Preent law prohibits cities from licensing small loan firms if they didn't do so before 1951.

A series of school segregation bills was discussed by the Senate Education Committee Tuesday, but the group postponed action until the special screening committee can look them over.

The screening committee, according to a resolution adopted during the special session earlier this year, must study all racial measures before a standing committee can act on them.

Thus, the screening group was sent the following bills to:

1. Enable parents of children in an integration-endangered school to set up a separate independent school district so that school can close while others remain open.

2. Empower the governor to shut down any school whose classes are integrated through federal force.

3. Authorize a county to withdraw from the state school system and padlock its schools if necesary to keep out Negro children.

4. Let school boards sexually segregate pupils in the event of forced integration so white girls won't be put in classes with Negro boys.

ntroduced in House—

Fund to publicize segregation urged

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., June 20—A plan has been proposed by an Alabama legislator for the state to provide a fund to advertise the cause of Alabama and the South in newspapers in the North, East and West.

The measure was sponsored by Dallas Sen. Walter Givhan and introduced in the upper House Friday.

The Florida Legislature recently appropriated about $500,000 to be used for such an advertising undertaking provided other states would jointly support the program. The Florida governor, however, vetoed it.

STATE AND FEDERAL governments, under bills introduced in both houses Friday, would be required to pay the cost of removing utility poles, gas water mains from their present locations to make room for Interstate Highway construction.

Two different proposals seeking to set up new requirements for assessment of property for taxation likewise have been introduced.

Tuscaloosa Sen. Ryan deGraffenreid sponsored a measure requiring assessment of all property, including holdings of utilities, at 25 per cent.

The 25 per cent valuation, moreover, would be based on an estimate of what the property was worth 10 years prior to the time of assessment.

Sen. deGraffenreid said the 10-year provision was included to get around property owners' claims that present real property values are inflationary.

The other similar proposal was sponsored by Sen. Hines of Chambers. It places a 20 per cent ceiling for all assessments, including those of utilities.

Bills introduced in the House Friday were:

Introduced in House

H. 503, by Harris: Amending further Sec. 137, Title 46, relating to receipt and disbursement of funds of the State Board of Registration for Professional Engineers and Land Surveyors. (Ways and means.)

H. 504, by Branyon, Self and Bishop: Authorizing commissioned officers and warrant officers of the Alabama Army and Air National Guard to organize into an association. (Military affairs.)

H. 505, by Brayon, Self and Bishop: Providing uniform allowance for certain officers of the Alabama Army and Air National Guard, and officers of the Naval Militia, if such militia is organized. (Military affairs.)

H. 506, by Adams of Houston: Further amending Act No. 273 of 1947 which is designated the "Civil Service Aact of Dothan." (Local Legislation No. 1.)

H. 507- by Gilchrist and Brewer: Extending the boundary of the city of Decatur. (LL 1.)

H. 508, by Cornett and others: Levying a uniform privilege or license tax upon the sale, distribution and delivery of malt or brewed beverages; to provide that such tax shall be paid to the county for division and distribution, etc. (Ways and means.)

H. 509, by Smith and others: Providing for the relocation of utility facilities when necessitated by federal-aid highway system projects. (Ways and means.)

H. 510, by Camp: Revising Chapter 11, Title 46, in relation to the practice of optometry. (Health)

H. 511, by Smith of St. Clair and others: Providing that the holding, owning, having in possession or paying the tax for a liquor revenue stamp or stamps for the manufacture or traffic in intoxicating liquor issued under the laws of the U. S. shall be prima facie evidence in dry counties of violation of the prohibition laws. (State administration)

H. 512, by Sullivan and others: Amending Section 15, Title 51, exempting homesteads from ad valorem taxes, in relation to the exemption of homesteads of widows 62 or over or any other person 65 or over. (Ways and means)

Introduced in Senate

S. 246, by Archer: Relating to rules of the road: prescribing further regulations concerning right of way at street or highway intersections. (Judiciary)

S. 247, by deGraffenried: Fixing the rate of assessment of property for tax purposes. (Finance and taxation)

S. 248, by deGraffenried and others: Providing for the relocation of utility facilities when necessitated by federalaid hig-hway system projects. (Finance and taxation)

S. 249, by Roberts: Amending further Section 71, Title 36, relative to the State Highway Patrol; providing a nubimum and maximum compensation to be paid to members of the State Highway Patrol. (Finance and taxation)

S. 250, by Dumas: Amending Title 10, Section 70, relating to the general powers of corporations. (Judiciary)

S. 251, by Givhan: Declaring the purpose of the State of Alabama to support the organized, systematic distribution of the real facts concerning said state (and the South; to implement said purpose; creating a commission for the administration of said program and to cooperate with other states similarly situated; appropriate funds to activate said commission, and for related purposes. (Finance and taxation)

S. 252, by Hines and others: Reducing the rate of assessment of property for tax-paying purposes. (Provides a ceiling of $20,000 for assessment of property.) (Finance and taxation)

Warns Of Attempt To Make Law Naked Anti-Negro Bill

CHICAGO — (SNS) — Dixie politicians, realizing that they are no longer politically powerful enough to push through Congress "a naked anti-Negro bill," have adopted new tactics and are now seeking their objective through support of legislation to curb the United States Supreme Court under cover of fighting communism, Roy Wilkins, NAACP executive secretary, charged in an address prepared for delivery at a Freedom Fund dinner of the Chicago NAACP.

He cited the inclusion of an anti-subversion clause in H. R. 3, a bill to restrict the Supreme Court now before the House, as an example of the tactics being used by southerners to suppress civil rights advocates. Under this bill, he warned, southern states would seek to brand the NAACP as subversive, despite the Association's well known anti-communist record, and thus to outlaw it.

NEAT LITTLE PLAN

"That is the neat little plan wrapped up in H. R. 3," the NAACP leader said. "The Old South knows that times have changed and it does not have the political strength to put across a naked anti-Negro bill. But it has clothed its brain child in an anti-communist garment and thus hopes to win enough votes from the North, East and Far West to pass H. R. 3. If the trick should succeed the Dixie die-hards would have a club over the Negro more deadly than the Klan or any lynch mob."

Mr. Wilkins called upon voters to let their congressmen know immediately their opposition to this bill and to urge its defeat. The bill can be defeated, he said, if the electorate, from Boston to San Diego, is sufficiently aroused to the danger it represents. This imposes upon us an obligation to greatly expand our vote, he asserted.

In the fight against racial injustice, "there are other weapons which can be employed," the NAACP leader pointed out, "but I need not stress that retaliatory violence is not one of them," Mr. Wilkins declared. "We cannot fight lynching with lynching. Of course we must defend ourselves when attacked. This is our right under all known laws. In the past the NAACP has defended those who exercised the right of self-defense, as those who remember the famous Sweet case in Detroit well know. We spent thousands of dollars and risked the life of Thurgood Marshall to defend Negro citizens of Columbia, Tenn., after a riot there in 1946. To assert, as some persons are now trying to do, that the NAACP does not believe in Negroes defending themselves is sheer nonsense, spouted for the purpose of dividing our ranks and furnish-

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Substitute Housing Bill Is Pushed by Coalition

By Robert C. Albright
Staff Reporter

Administration forces, from the White House down, yesterday joined Southern Democrats in backing a $1.3-billion coalition substitute for the $2.1-billion, Democratic-sponsored housing bill.

But Speaker Sam Rayburn (D-Tex.) flatly predicted defeat of the coalition compromise when the showdown comes in the House today or Thursday.

"I think we'll vote down the substitute and then go ahead with the Committee bill," Rayburn told a press conference as the House opened debate on the long-delayed legislation.

If the substitute is not rejected, Rayburn implied a serious possibility that the House could wind up with no bill at all.

The Republican-Southern Democratic substitute, bearing the name of Rep. A. Sydney Herlong Jr. (D-Fla.), in effect took the place of the administration's original $1.65 billion housing bill, amid these developments:

- House Republican Leader Charles A. Halleck (Ind.) termed the housing bill the "key" to the Administration's drive to balance the budget. He said the White House is "favorable" to the less costly Herlong substitute, and predicted the House will approve it.
- Federal Housing Administrator Norman P. Mason called the original committee bill authored by Rep. Albert Rains (D-Ala.) "extravagant and unsound," but termed the Herlong substitute "a moderate approach." Mason said he did not indorse every detail of the substitute, but it "comes much closer to what the Administration wants" than the Rains bill.
- Rains promptly slapped back at Mason for "mixing into the legislative process." Rains told newsmen Mason's legislative activities might constitute a violation of the U. S. Code.

Perhaps the main difference in the coalition substitute and the committee-backed Rains bill is the latter's provision for 140,000 new units of low-rent public housing. The substitute provides no new housing starts.

One controversial feature of the proposed substitute would bar direct advances from the Treasury for some programs and for ce clearance by the House Appropriations Committee.

The substitute calls for "liberalized" FHA mortgage financing of housing for the elderly, in lieu of the new direct lending program provided by the Rains bill. It provides $100 million for urban renewal grants for 1959 and $250 million for each of the next two years.

President signs rail benefit bill as GOP denies he ordered a House survey on chances of sustaining a veto. Page A2.

In addition to public housing, the Rains bill provides authority for slum-elimination and urban-renewal projects, $400 million for college housing, $100 million for housing for the elderly, and for lower FHA down payments.

Both bills would replenish the badly depleted mortgage insuring authority of the Federal Housing Administration.

Southerners Urge Enactment Of Bill

Would Provide Loans For Eight Dixie States

From The Commercial Appeal Washington Bureau

WASHINGTON, June 12—Representatives of municipal associations in eight Southern states are here urging congressional enactment of the so-called "depressed areas" bill.

Herbert Bingham of Nashville, executive secretary of the Tennessee Municipal League, said the eight states are Tennessee, Kentucky, Alabama, Mississippi, South Carolina, Georgia, Virginia and West Virginia.

The Senate has passed a bill which would provide 390 million dollars in loans and grants for industrial buildings and equipment, water works, sewage systems, industrial parks, and other public facilities.

The House Banking and Currency Committee has approved a 251-million-dollar measure but it presently is stalled in the House rules committee.

Mr. Bingham said the legislation "will do more for the Memphis trade area than any legislation Congress has considered in many years."

He said 60 per cent of the benefits would go to the Southern and border states, with Tennessee, Arkansas and Mississippi receiving a combined total of 50 to 60 millions.

Mayor William Caraway of Leland, Miss., and Carl B. Wachs, secretary of the Kentucky Municipal League, are among those here.

Mr. Bingham said the group is planning a joint statement for presentation to Southern congressmen.

An Alarmingly Vicious Bill

If there is any doubt about the real meaning and intent of the Supreme Court curb bill currently being rushed through Congress, all one has to do is examine the background of its principal sponsors — Rep. Howard K. Smith of Virginia and Sen. James O. Eastland of Mississippi.

Both have bitterly and savagely denounced the Supreme Court since its 1954 school decision and both have never been known to sponsor legislation granting equal citizenship to colored Americans.

Their present legislative vehicle, known as House Resolution No. 3, is strictly in character. It poses the gravest kind of threat not only to the liberties of colored citizens and organizations, such as the NAACP, but to all citizens who love and would foster the democratic ideal.

The measure is in two parts and is identical to a bill which was passed last year by the House and was defeated by only one vote in the Senate.

THE FIRST section would keep the courts from ruling that federal laws exclude state laws on the same subject unless Congress specifically says they should or unless there is a conflict with the federal legislation.

The second part would make valid again, state sedition laws struck down when the Supreme Court ruled in 1956 in the Steve Nelson case.

Both sections, could be used by the Confederate states, not only to reverse the whole series of the Supreme Court's favorable civil rights decision, but as a means of forging stronger and more oppressive chains about the ankles of colored people, persons of liberal persuasion and labor.

These states have enacted laws and their officals have openly taken actions to put the NAACP out of business on the spurious grounds that the organization is "communistic."

* * *

A FLORIDA legislative investigating committee, despite a preponderance of evidence to the contrary, no longer than last week, sought to keep alive this fiction by reporting:

"Whether the NAACP has been infiltrated and influenced by Communists on the national level or in the state of Florida is not open to question. It definitely has been. The only question is the extent of such penetration and influence."

The passage of H.R. No. 3 undoubtedly would be the automatic signal for Florida, Georgia, Mississippi, South Carolina and Arkansas to rush into state court with prosecutions of the NAACP on such trumped-up accusations as this.

Any person in these states, bold enough to openly say desegregation is the law of the land, could be subject to indictment under the theory that such a statement is "subversive" to the segregated way of life in Dixie.

And under the Eastland-Smith proposal, a person so convicted under such flimsy evidence, could not appeal to the federal courts for elemental justice.

* * *

ATTORNEY GENERAL ROGERS, speaking for the Eisenhower administration, has labelled the bill as "most hazardous." We think that is probably the understatement of the year.

We think "alarmingly vicious" is the more apt description.

All Americans who cherish hard-won liberties will, without delay, write and wire their Representatives and Senators not only to vote AGAINST this dangerous threat to freedom, but work untiringly to persuade their colleagues to do likewise.

Your Pastor Could Be Jailed For Advocating Integration

Fantastic? Not at all.

Dangerous bills reviving state sedition laws are pending in the United States Congress which could be used against Negro and white ministers, and all others working for integration in the South.

Under these laws, providing that state sedition laws "shall have concurrent enforcibility with federal law," each state could define sedition and subversion as it pleased.

Commenting on this possibility, the Louisville Courier-Journal said (May 24): "The state of mind of people in Mississippi might make it seem entirely responsible to a majority there to enact a law holding that anyone who joins the NAACP is engaging in subversion actively."

You will remember what happened to Carl and Anne Braden, SCEF field secretaries, when they helped a Negro friend buy a house in an all-white neighborhood. They were sentenced to 15 years in prison under a state sedition law, never before invoked. They were released when the U. S. Supreme Court ruled (Nelson Case) that the Federal Government had "preempted" the field of treason and subversion and state laws were null and void. Southern politicians are now shooting at the Supreme Court. If they can invalidate the Supreme Court ruling in the Nelson case, they hope eventually to do the same thing with the school cases.

A Similar Bill Failed to Pass Last Year By One Vote

If you are white or a Negro, write your two senators and urge them to vote against S. 294, S. 1299, and any other bills aimed at curtailing the power of the Supreme Court. If you are from a state where you think it would be useless to write your senator, then write to Senator Lyndon B. Johnson, majority leader, and to Senator Everett McKinley Dirksen, minority leader, Senate Office Bldg., Washington, D. C., and urge them to vote and work against these bills.

These bills may be called up for a vote any day, hence an immediate answer is indicated.

Stand Reversed On Rights Bill

Court Ruling Made Sedition Provision Superfluous, Says Group Chief

By BETTY PRYOR
United Press International Staff

WASHINGTON, June 23. — Chairman Francis E. Walter (D., Penn.) of the House Committee on UnAmerican Activities urged the House Tuesday to reject a pending States Rights Bill, including a sedition provision he once sponsored.

Representative Walter, also a high-ranking member of the House Judiciary Committee, said the Supreme Court's decision in the recent Uphaus case made the sedition provision unnecessary. He previously had opposed a general provision of the bill, but had fought for the sedition section.

Conviction Upheld

In the Uphaus case, the court upheld the contempt conviction of Willard Uphaus, executive director of World Fellowship, Inc., who defied New Hampshire's anti-subversive law. The ruling modified the court's 1956 Steve Nelson decision which had been interpreted as nullifying state sedition laws.

The States Rights Bill, which is designed to keep Federal legislation from cancelling out state laws, carries a sedition section that would grant states specific authority to prosecute sedition under their own anti-subversive laws.

Representative Walter told the House the Uphaus ruling made the sedition section in the States Rights Bill superfluous.

Representative Walter made his plea as the House geared for showdown vote Wednesday. Opponents plan to introduce amendments to strike at the heart of the legislation. Backers expressed confidence the amendments would be beaten.

One amendment would cut out the bill's key provision—a 74-word clause aimed at keeping Federal laws from nullifying state laws on the same subject.

Representative Walter called this a "most dangerous" provision because "nobody knows what it would really do." He contended that it would "create something close to chaos."

'Chaos' Charge Dnied

Representative William C. Cramer (R., Fla.), also a Judiciary Committee member, denied the "chaos" charge. He said the bill would merely set a "guide" for the Supreme Court in future cases involving the effect of Federal legislation upon state laws.

Representative Cramer said the bill was not a slap at the court but represented a "justifiable difference of opinion" about this effect.

The bill's critics planned to offer a second, alternative amendment, which would make the dispute clause apply only to legislation adopted in the future. As the bill now stands, it also would apply to laws already on the books.

Bill would finance publicity drive to tell of segregation

MONTGOMERY, Ala., June 20—(AP)—A Citizens Council-sponsored bill to spend half a million dollars of state funds to tell the world the "true" story of segregation was introduced Friday in the State Senate.

Patterned after a Florida measure which Gov. Leroy Collins vetoed, the bill by Sen. Walter C. Givhan of Dallas County would authorize the spending only if four other Southern states agreed to participate.

It would create a five-man commission to direct a campaign of distributing "true and authenticated" facts about segregation.

Givhan, who is chairman of the Alabama Assn. of Citizens Councils, said the measure is sponsored by that organization.

ALABAMA BACKS CHURCH-RACE BILL

By FRED TAYLOR
Staff Writer, The Birmingham News
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., July 18—Strong support has been built up in the Alabama legislature for the Dumas bill permitting any Protestant church threatened with racial integration to withdraw from its national parent organization and retain local church property.

The proposal, which was drafted by a lawyers' committee of the Methodist Layman's Union and which has the backing of that statewide organization, was introduced by State Sen. Larry Dumas of Jefferson. A Birmingham attorney and legislative veteran, he is a member of the Board of Stewards of Highlands Meth-

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odist Church and one of those who helped organize the Layman's Union last March.

"This bill would provide a protective shield for our local Methodist churches," declared Sen. Dumas. "In event a local church decided it had to withdraw from the national denomination to prevent discord and strife, the bill would protect church property purchased with money contributed by the local group from confiscation by the national denomination."

He added that "a judicial determination by the circuit court where the church property is located is required in order to safeguard the interests of all parties."

The Dumas bill was drafted after fear was expressed that the 1960 Methodist General Conference might abolish the so-called central jurisdiction, which includes Negro churches, and attempt to force Methodist churches of the South to integrate.

The Jefferson senator pointed out that the Southern Methodist Church merged with the Northern Methodist Church "upon the basic understanding and agreement that the central jurisdiction would remain intact and segregation in its worship services and religious activities would be permitted to continue."

The Week in Alabama

Alabama's **industrial development** soared as **Scott Paper Co.** announced a **$20,000,000 expansion** of its **Mobile plant** and Gov. John Patterson said chances are good for landing a new **$10,000,000 plant** at **Decatur.** The latter would be built by **Minnesota Mining and Manufacturing Co.,** which already has a plant at **Guin, Ala.** The paper company expansion program alone boosted to more than **$49,000,000 over-all industrial development** in the state so far this year. The **legislature** adopted a resolution **calling on President Eisenhower** and **Secretary of Agriculture Benson** to go to the **aid** of the hard-pressed **textile industry.** . . . **Judge Roy Mayhall** of Jasper, veteran jurist and former state Democratic chairman, has been chosen **chairman** of the **Alabama Assn. of Circuit Judges.** He succeeds **Judge Eugene W. Carter** of Montgomery. . . . Former State Highway Director **Herman Nelson** will become **road engineer** for **Lawrence County.** . . . .

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Doctors here urged to fight Forand Bill

BY JULIA HOLLEY
News staff writer

Alabama doctors today were asked to join an all-out fight to defeat proposed legislation to place medical care of the aged under Social Security.

"We cannot sit back quaking with hesitation in the face of undesirable legislation such as the Forand Bill," said Dr. Louis M. Orr of Orlando, Fla., president elect of the American Medical Assn.

Dr. Orr was the opening speaker at today's session of the Medical Assn. of the State of Alabama convention here.

The bill to extend the Social Security program to include medical care, he said, would mean that payroll taxes for the program would be raised to more than 11 per cent.

"PHILANTHROPY has always been wonderful in America as long as it is the philanthropist's whose money is being spent," Dr. Orr said. "But some people are addicted to the peculiar philanthropy of spending other people's money."

Dr. Orr said resolutions condemning the Forand Bill would be broughth before 34 state medical associations this year, and passage of all of them was anticipated.

He told the doctors that the Forand Bill, originally introduced in 1957, had been reintroduced but shelved this year. He predicted that temporary shelving of the bill meant a big push for its passage was being saved for next year, a presidential election year.

DR. ORR asked the physicians to keep the lead in planning voluntary programs for medical care of the aged that "will not compromise the dignity and independance of the person being helped."

Specifically, he urged them to help work out plans for extending and improving coverage by low cost, pre-paid health insurance coverage.

At present, he pointed out, more than 40 per cent of the persons over 65 years of age are covered by voluntary health insurance. He predicted by next year, 60 per cent would be covered.

Highlight of the scientific program of the annual convention was the Jerome Cochran Memorial lecture, a memorial to the state's first health officer, delivered at the morning session by Dr. Thomas P. Findley of the Medical College of Georgia at Augusta.

Dr. Findley lectured on the kidney's role in metabolic disfunctions.

This afternoon, the doctors heard a plea from a Medical College of Alabama professor to avoid over-zealous use of antibiotics.

INSTEAD OF causing a virtual disappearance of infectious disease, said Dr. Thomas F. Paine Jr., the present rate at which antibiotics are being used seems likely to create new super-microbes that defy killing.

Dr. Paine, chairman of the department of microbiology at the Medical Center, reported that last year approximately 400 tons of penicillin were produced for use in this country.

This amount, evenly distributed would have provided each man, woman and child in the country with three to four million units of penicillin, he said.

Already the overuse of these important medical weapons, he said, has produced strains of staphylococcus which are no longer killed by antibiotics.

A CLUE TO the seriousness of the problem, he said, is repeated in newspaper accounts of the closing of newborn nurseries and other sections at a number of hospitals because of epidemics of infection caused by the staphylococcus.

He warned against use of the drugs for minor infections or virus infections in which they are usually ineffective.

The doctors will conclude their annual convention with a business session tomorrow morning. Tonight they will attend a dinner dance at Vestavia Country Club with the Jefferson County Medical Society and Liberty National Insurance Co. as hosts.

OPPOSITION EXPECTED TO BE BIG

WASHINGTON — (UP)—Rep. Adam Clayton Powell, D.-N.Y., served notice Friday that he will try to write a ban on racial discrimination into the embattled Democratic housing bill.

If he succeeds, the measure would be in serious trouble. Most southern Democrats undoubtedly would join many GOP members in voting against any bill containing such a provision.

Republicans already have brought the legislation under sharp attack on grounds that it would throw President Eisenhower's delicately balanced budget into the red.

Powell, a Negro, said he would try to amend the bill to require that applicants for Federal Housing Administration FHA mortgages for rental units first agree not to practice racial discrimination.

He said he could not yet predict whether the amendment would pick up enough Republican and northern Democratic votes to win adoption. In the past, he has failed at several attempts to write similar discrimination bans into housing bills.

In any event, key lawmakers said, the Powell proposal would not be enacted into law at this session of Congress. Even if it passed the House, they said, it would be knocked out by the Senate.

Omnibus Rights Bill Is Offered

By the Associated Press

An omnibus bill to broaden the Federal Government's protection of civil rights was offered today by a dozen Senators led by Senator Humphrey, Democrat of Minnesota.

Senator Humphrey called for Congress to wipe out segregation in interstate travel, end discrimination in employment, outlaw the poll tax and strengthen criminal statutes against civil rights violations and peonage.

A potential aspirant for the 1960 Democratic presidential nomination, Senator Humphrey was joined by 10 liberal Democrats and one Republican Senator Javits of New York, in offering the new legislative package.

Leadership Sought

"Government of all levels must give constructive and imaginative leadership in the effort to overcome discrimination throughout the Nation," Senator Humphrey said in a prepared Senate speech.

"Protection of human right is the moral responsibility of Government officials in a free and democratic society. They have the obligation to establish standards and practices of equal rights and equal protection of the law for all citizens to follow."

He said civil rights "is not a regional problem only confined to the South.

Minorities Face Barriers

"We know this only too well from first-hand experience," he said. "Minority groups still face employment barriers and by gentlemen's agreements a system of restrictive covenants is effectively maintained in many towns and cities of the North.

"I realize only too well that segregation cannot and will not be wiped out over night. Prejudices which have developed over scores of years cannot be ignored in working toward the goal of equality under the law. But these very real problems and roadblocks to understanding should not and cannot be permitted to serve as excuses for refusing to act."

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Black Belt Bloc Gives Up Weapon For Filibustering

Senate Vote Buries Rule On Reading

By HERSCHEL CRIBB
And BOB INGRAM

Black Belt senators backed down without a fight Friday, yielding one of their filibuster weapons.

The rule which let one member demand reading of the Senate journal was killed on a nearly unanimous vote following a motion of Sen. L. K. (Snag) Andrews, the top strategist of the Black Belt group.

Hereafter, it will take a majority of the Senate to get the journal read.

Only Sen. Roland Cooper of Wilcox voted against the rule change. Other opponents, including Andrews, went along.

CONSUMED AN HOUR

The vote did not come until Cooper had consumed about an hour talking against it. He was talking to give the filibuster faction time to seek a compromise.

The Senate was recessed twice while Cooper had the floor — once for 30 minutes and again for 15—while Andrews and his entourage sought a compromise on the issue.

They wanted an agreement from the administration team to kill the majority vote proposal and plump for a four-fifths majority rule next week. They failed to get it.

Sen. Cooper later filed a motion to change the new rule to a four-fifths majority. And Sen. Joe Graham of Chilton submitted a motion for a three-fifths majority rule.

Both motions go to the administration-dominated rules committee which is expected to bury them without further ado.

SIX OVER MAJORITY

Andrews, in moving to adopt the new rule, said he had never used the journal-reading rule to delay the Senate and "I do not attach any importance to it whatsoever."

It was clear, however, that the Black Belt bloc yielded because it knew the vote would go against it.

Supporters of the change claimed at least 24 votes, six more than a majority, if it had come to showndown vote.

The change does not mean the end of filibusters, however. Bills can still be read at length when requested by any member and resolutions must be so read. A deluge of lengthy resolutions could bog down the Senate for days.

Some 24 bills, mostly minor, were introduced after the filibuster threat fizzled. The Senate adjourned about 1:35 p.m., having convened at 10 a.m.

The House wasted little time before taking off for home. Other than the introduction of 36 new bills and a brief flurry of excitement over a resolution, the lower chamber lawmakers had little to show for their 59 minutes of work.

The hassle came on a resolution concerning new and stiffer qualifications for old age assistance established recently by the Department of Pensions and Security.

Specifically, the new rules exclude applicants for assistance who have more than $500 in cash or who own a home with an assessed value of more than $800.

MEASURE SUPPORTERS

Rep. R. Rush (Doc) Smith of St. Clair dropped in a resolution calling on the pension agency to withhold the enforcement of the new rules until they had been aired at hearings by the public welfare committees of the House and Senate.

Smith's resolution was not lacking in support. Rep. Gardner Bassett of Pike and Rep. Alonzo Shumate of Walker both supported the measure.

Bassett said he had been "flooded with protests" from old people in his county who would be cut off the pension rolls by the new rules.

Shumate said the change would result "in at least one-third of those now receiving pensions being cut off."

And Rep. H. B. Taylor of Butler insisted that the new rules would have little or no effect on Negroes but would cut off only white people.

However, the resolution was dispatched to the Rules Committee when the House refused to suspend the rules to vote on the resolution.

Moments later Rep. Tom Johnson of Tallapoosa introduced a bill which would write into law the qualifications for old age assistance. His measure would restore the previous requirements—$1,000 in cash and a home assessed at no more than $5,000.

Several major bills were introduced during the day. Rep. W. L. (Doc) Martin of Greene dropped in a measure to allow presidential electors to be elected after the holding of the national party conventions.

Rep. Woodrow Albea of Calhoun introduced a 67-senator reapportionment bill while Rep. Emmett Oden of Franklin offered a wet-dry liquor referendum.

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Bills introduced by both parties

By LOUIS LAUTIER

WASHINGTON (NNPA) — Hearings on 1959 civil rights legislation were kicked off Wednesday by Rep. Emanuel Celler (Dem., N.Y.) and William M. McCulloch (Rep., Ohio). They supported different bills.

Mr. Celler is chairman of the full House Judiciary Committee and of the subcommittee before which the hearings are being held. He supported the bill which bears his name.

His measure is identical to the bill being sponsored in the Senate by Sen. Paul H. Douglas (Dem., Ill.) and 16 other Senators, Democrats and Republicans.

MR. McCULLOCH is the ranking Republican member of the House Judiciary Committee and of the Celler Committee. He introduced the seven Administration proposals in an omnibus bill and vigorously supported them in his opening statement before the subcommittee.

The subcommittee also heard the first witness in opposition to any civil rights legislation. He is Rep. Richard H. Poff (Rep., Va.), a member of the House Judiciary Committee. Mr. Poff asked for a moratorium on civil rights legislation.

Mr. Celler told him that he would be perfectly willing to grant him a moratorium of five years if at the end of that period schools in Virginia would be integrated.

* * *

MR. CELLER noted the absence from the Administration's proposals of Part 3 which the Senate deleted from the civil rights bill before its passage in 1957.

Part 3 would give the Attorney General authority to bring suits to enjoin deprivations of constitutional rights other than the right to vote. The 1957 Civil Rights Act gives him the authority to bring such actions with respect to voting rights.

Mr. McCulloch said he had chosen Feb. 12 to introduce his omnibus bill because he thought it "particularly appropriate for civil rights legislation to be introduced on the 150th anniversary of the birth of Abraham Lincoln."

From the 1954 Supreme Court decision outlawing segregation in public education to the enactment of the 1957 Civil Rights Act, the first such legislaton since Reconstruction days, Mr. McCulloch stated, there has been "a steady march towards the goals of equality under the rule of law, for all Americans.

* * *

REP. JOHN V. LINDSAY (Rep., N.Y.), the first witness, appeared in support of his amendment to add Part 3 to the 1957 Civil Rights Act.

A freshman Congressman, he also supported the Administration's proposals.

He called his amendment an "improved version" of the same Part 3 which passed the House in 1957.

By giving the Justice Department civil injunctive powers, the criminal penalties in civil rights laws, passed in Reconstruction era, are recognized as "a less desirable remedy," Mr. Lindsay said, adding:

"How much better it is to present such matters to a civil court in advance of the threatened event, rather than suffer the pains of criminal prosecution after the damage has been done."

Rep. Adam Clayton Powell, (Dem., N.Y.) appeared in support of his omnibus bill which has 41 titles— four more than the Celler bill.

The Powell bill would establish a permanent civil rights commission, direct the Attorney General to increase the personnel of the FBI for the investigation of civil rights cases, establish a joint House and Senate Civil Rights Committee, strengthen the criminal civil rights laws, forbid segregation in interstate travel, also strengthen the peonage laws.

The Powell bill also would establish a Federal fair employment practice commission, make lynching a federal offense, outlaw the poll tax, make violence against members of the armed forces a federal offense, authorize damage suits in federal courts for violations of civil rights, and empower the Attorney General to sue to enjoin threatened violations of such rights.

* * *

THE CELLER bill in Title I contains specific findings that the Supreme Court decisions against segregation in public education "express the moral ideals of the nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world.

It recognizes the authority and responsibility of Congress and responsibility of the federal courts and to protect constitutional rights.

Title II authorizes the Secretary of Health, Education and Welfare to give technical assistance to states and school districts in eliminating school segregation and developing community understanding of desegregation programs that are in harmony with the Constitution.

Appropriations of $2.5 million a year for five years are authorized for this program.

TITLE III authorizes the Secretary of HEW to make grants for school facilities in areas where the chief problem presenting or hindering effective compliance with the Supreme Court decision is the lack of adequate buildings or other physical equipment.

It also authorizes grants for employing additional teachers, in-service teacher training courses, and otner educational measures undertaken to eliminate segregation.

It authorizes appropriations of $40 million a year for five years to be allocated to local communities which want to desegregate, but where, as in Georgia, the state threatens to cut off funds or close the schools.

* * *

TITLE IV provides that when other methods fail, the Secretary of HEW shall initiate the development of desegregation plans.

Title V gives the Attorney General authority to file suits to compel compliance with school desegregation plans, when the Secretary of HEW certifies that all efforts to secure compliance by conciliation, assistance and otherwise have failed.

Title VI is an enlarged version of Part III which the Senate deleted from the civil rights bill in 1957.

Title VII gives Federal district courts jurisdiction of suits brought under the Celler bill.

* * *

TITLE I of the Administration bill would make it a Federal offense to interfere with the exercise of rights or the performance of duties under valid orders of Federal courts in school desegregation cases.

Title II would make it a Federal offense to cross state lines to avoid prosecution or imprisonment in cases of bombings of schools, churches and synagogues.

Title III would require state election officials to retain and preserve all records relating to federal elections for a period of three years.

Title IV would extend the life of the Civil Rights Commission for two years.

Senate Gets Measure for Showdown

By ANTHONY LEWIS

(Copyright 1959, The New York Times Co.)

WASHINGTON—A solid coalition of Republicans and Southern Democrats pushed a broad states' rights bill through the House Wednesday by a vote of 225 to 192.

Despite strong administration opposition to the bill, 114 Republicans joined 111 Democrats, mostly Southerners, in voting for it. Among them were all the top GOP figures in the House, including the minority leader, Charles A. Halleck of Indiana.

Georgia's Sen. Talmadge praised House passage of the rights bill but said he doubted it would be approved in the Senate. However, he said he would fight for the bill.

Opposed to the bill on the final roll call were 30 Republicans and 162 Democrats.

The measure is designed to let state laws operate despite the existence of federal statutes on the same subjects. To that end it tries to limit the circumstances in which the courts can hold state laws superseded by federal legislation.

The bill provides that the courts may not interpret an act of Congress to pre-empt a field of legislation from the states unless Congress specifically expressed such an intention or "unless there is a direct and positive conflict between such act and a state law so that the two cannot be reconciled or consistently stand together."

In its only other section the bill expressly overrules the 1956 Supreme Court decision in the case of Steve Nelson, Pennsylvania Communist leader.

The court held there that state laws prohibiting advocacy of the federal government's overthrow could not be enforced because Congress had pre-empted the field in the Smith Act of 1940.

The author of the Smith Act, Rep. Howard W. Smith (D-Va), sponsored the states' rights bill. He has been pushing it for several years.

Last year the bill passed the House by a vote of 241 to 155. It was killed in the Senate during the final days of the session by the dramatic vote of 41 to 40.

The relatively close vote in the House Wednesday is not likely to help the bill in the Senate. It is now under consideration there in the internal security subcommittee and there is no certainty that it will even reach the floor.

'MOST HAZARDOUS'

The Justice Department has termed it the "most hazardous" bill before Congress. Its concern is over the fact that the measure would be retroactive, affecting all existing statutes as well as those passed in the future.

This point was emphasized Wednesday by opposition leaders, especially Reps. Emanuel Celler (D-NY), and John V. Lindsay (R-NY). They gave these examples of what the bill might do among others:

1. In 1941 the Supreme Court helld that a federal law requiring registration of aliens had occupied the field, so that aliens did not have to meet different state registration rules. In any new court test of this question, the bill might reverse the result.

MAY REVIEW RULING

2. Federal statutes regulating railroad safety have been held in the past to displace state rules, so that the railroads did not have to follow possibly overlapping regulations. These decisions might have to be re-examined in the light of the measure.

Opponents pointed out that Congress had seldom bothered in past statutes to indicate a specific intention to supersede state laws. Hence, they argued, all kinds of existing legislation might have to be reappraised by the courts under the new rule of construction.

Celler moved to make the bill effective only as to future legislation. But Smith said this would "destroy the bill." The amendment lost on a teller vote, 195 to 129.

AMENDMENTS PROPOSED

Supporters of the bill declined to say exactly what changes they thought it would make in the interpretation of past statutes. They said they simply wanted to give the courts a "clear" rule of construction.

Republican leadership support for the bill was generally regarded as a calculated effort to cement relations with the Southern Democrats and get their votes on budgetary and other matters.

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Tax Reduction

New Bill Would Aid College Aspirants

WASHINGTON (ANP)—A bill which might prove beneficial to a great many struggling Negro parents has been introduced by the Senators from Missouri.

This bill would provide income tax deduction benefits to parents sending their children to college. It would also apply to students who are putting themselves through school.

The measure was introduced by Senator Thomas Hennings and co-sponsored by Senator Stuart Symington, both Missouri Democrats.

IN INTRODUCING the bill Hennings said he believed it "wise and just to allow tax benefits for those who make an economic sacrifice to send their children to institutions of higher learning and to those who are trying to earn a higher education for themselves."

He feels that "such benefits would mean that more students could enter our colleges. The bill would result in Federal aid to education without Federal interference."

Under the Hennings-Symington proposal, tuitions, fees, books costs and the cost of room and board for students living away from home will be deductible. Similar deductions would be allowed for students paying the cost of their own education. A third tax benefit would be allowed for those contributing to scholarships.

STENNIS OFFERS JUDGESHIP BILL

Would Increase Number of Federal Judges

WASHINGTON (AP)—An omnibus judgeship bill, providing for the appointment of additional circuit and district federal judges, was offered Tuesday by Sen. James O. Eastland (D-Miss.).

Eastland said the bill is the same as one offered last year which never reached a vote in the Senate. He declined to predict its chances this year.

The bill would provide one additional circuit judge for the second, fourth, fifth and eighth circuits.

The second circuit includes New York, Connecticut and Vermont; the fourth, Maryland, North Carolina, South Carolina, Virginia and West Virginia; the fifth, Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and the Canal Zone, and the eighth, North and South Dakota, Nebraska, Minnesota, Iowa, Missouri, and Arkansas.

The bill would provide for appointment of 39 additional district judges. In some cases it would be one additional judge for two districts.

The new additions would include (one additional judge unless otherwise stated):

Northern California, Colorado, Northern Illinois two, Northern and Southern Iowa, Kansas, Eastern Michigan, Western Missouri, Nevada, New Jersey, Northern Ohio, Southern Ohio, Eastern Pennsylvania two, Northern Texas, Southern Texas, Western Texas, Wyoming.

Southern Florida, East Louisiana two, West Louisiana, Maryland, Southern Mississippi, Eastern, Middle and Western North Carolina, Puerto Rico, Eastern and Western South Carolina, Eastern Tennessee, Western Tennessee.

Maine, Massachusetts, New Hampshire, Eastern New York, Southern New York, Rhode Island, Vermont, and Connecticut two.

States To Lose Seats In House

Reshuffle To Hit Alabama, Arkansas, Mississippi

CALIFORNIA WILL GAIN

WASHINGTON, March 25.—Thirteen states face loss of House seats and presidential electoral votes because of population shifts and the granting of statehood to Alaska and Hawaii, it was disclosed Wednesday.

A Census Bureau projection of the results of next year's census shows that California is expected to pick up seven of the 19 seats lost by other states. Florida would gain four.

These results could be changed, of course, by the actual nose-count of the population which starts April 1, 1960.

But if the experts are right, it will be the biggest reapportionment of House seats in 30 years. The 1930 census produced a 27-seat shift, but that reflected 20 years of population changes since no census was taken in 1920.

Effective In 1962

The reshuffle of House seats will take effect with the 1962 elections. The first presidential elections affected will be in 1964. Each state gets one presidential electoral vote for each representative and senator.

The new projection was made public by Representative John Lesinski (D., Mich.). He is chairman of the House Post Office and Civil Service Subcommittee on Census and Government Statistics.

It showed that Hawaii, down for one representative when it enters the union next fall, will get a second one in the 1960 census. This will give the islands a greater voice in Congress than Delaware, Nevada, Vermont, Wyoming or Alaska.

According to the projection, California will gain seven House seats. This would put it into second place with 37 and within hailing distance of New York, which will drop to 40 seats, a loss of three.

Pennsylvania, now tied with California with 30 seats, would lose three seats, dropping back to third place with 27. Illinois would hold its present 25 seats.

Texas would leap into fifth place ahead of Ohio. Texas would gain two House seats for a total of 24. Ohio would hold her present 23.

More For Michigan

Michigan would strengthen its hold on seventh place with a gain of two House seats, raising her total to 20.

These top seven states would then control 210 of the 268 electoral votes necessary to win the presidential election of 1964.

In addition to New York and Pennsylvania, the House seats expected to be eliminated by the new census are two in Arkansas, two in Massachusetts and one each in Alabama, Georgia, Iowa, Kansas, Maine, Minnesota, Mississippi, North Carolina and West Virginia.

Only six states—California, Florida, Hawaii, Michigan, Texas and Arizona — are expected to gain House seats. Although 19 House seats would be lost, only 17 would be gained. This is so because the new reapportionment will reduce the House to its permanent 435 seats.

Alaska's admission on Jan. 7 raised it temporarily to a record high of 436. Hawaii will temporarily make it 437.

Bill to Slash Farm Chief's Power Killed

President Backs Benson, Vetoes Legislation on REA Loans

WASHINGTON, April 27 (AP)—President Eisenhower today vetoed a Democratic-backed bill that would cut off the secretary of agriculture's power to approve or reject rural electric and rural telephone loans.

Democratic leaders, with big majorities in both House and Senate, began considering an effort to override the veto. A two-thirds majority vote in both houses is required to override.

If such an effore were to succeed—and it appeared the Democrats might have a good chance—it would be the first overturning of an Eisenhower veto. Today's veto was the President's 138th since entering the White House more than six years ago.

The bill Eisenhower rejected would strip from Secretary of Agriculture Ezra Taft Benson and his successors any final say over loans made by the Rural Electrification Administration to REA cooperatives. Otherwise, it would leave the REA under the secretary's general administrative guidance.

Bill Called Retreat

In a message to Congress, Eisenhower said the legislation, if allowed to become law, "would mark a major retreat from sound administrative policy and practice."

Benson took the same theme in a statement saying the measure would place the secretary in an intolerable situation. Asserting there was no logical basis for the bill, Benson said he could only conclude that "its motivation is purely political."

"This is the case of a bad bill getting a well deserved rejection," Benson said.

Under the bill, final word on REA loans would be returned to the REA administrator who had such power until 1953 when a Republican - controlled Congress took it away and gave it to the secretary of agriculture. Originally, REA was an independent agency, but it was put under the Agriculture Department 20 years ago.

The present REA administrator is David A. Hamil, an Eisenhower appointee.

Spite Legislation

When the bill was before Congress, Republicans said it was spite legislation aimed at Benson, who long has been a target of criticism by farm state legislators who disagree with his policies.

But Democrats argued the bill was needed because they said Benson is unfriendly to the rural power and telephone program.

In what may have been intended as a reply to Democratic critics, Eisenhower said today that in the past six years REA-financed systems "have made their greatest progress."

Eisenhower said loans totaling more than one billion dollars have been made in this period — "nearly half as much as was loaned by the agency in the previous 17½ years of its existence."

The President said nothing in recent REA history affords "any basis for concluding that the best interests of the agency or the public would be served by removing" the REA administrator's loan-making authority from the supervision of the secretary of agriculture.

Shortly after Eisenhower's veto message went to Capitol Hill, the National Rural Electric Cooperative Assn. demanded that the veto be promptly overriden. It said the veto "further repudiates the concept of nonpolitical administration of REA."

Absentee Voting Bill Made Law

Measure On School Scholarship Funds Still Left Unsigned

Gov. John Patterson signed a new absentee voting bill into law Saturday but when he left his office his signature was still missing from a controversial private school measure.

The school bill, sponsored by Rep. Sam Nettles of Wilcox, would permit the use of state funds in making scholarship grants to students desiring to attend private non-denominational schools.

Unless the bill is signed by Sunday midnight it will die by pocket veto. Patterson indicated Friday that was the probable fate of the bill, which has attracted vigorous opposition from school officials.

HALT ELECTION ABUSES

The new absentee voting law was drafted in an effort to bring to a halt election law abuses which have plagued absentee boxes for years.

Under the new plan any voter desiring to vote absentee must make his intentions known in advance and must convince the Board of Registrars that he should have that right.

Once the voter has registered in the absentee box he must vote there or not at all as his name will be stricken from the poll list at his regular voting place.

ASSESSMENT ON CARS

Also signed by Gov. Patterson was a bill which is aimed at setting up a uniform system for the assessment of automobiles for tax purposes. At the present time many counties fix a much lower value on cars than do other counties, even though the vehicles are the same make, model and value.

Patterson also approved three other local bills during his office work Saurday. Two related to Jefferson County, the other to Madison.

Another general bill still unsigned in addition to the Nettles' school proposal is a measure which would require the cleaning of public cemeteries in the state by convict labor and Highway Department equipment.

Legislature Okays Bill To Keep Vote Records From Riahts Probers

Senate Asks States' Powers Be Returned

By FORREST CASTLEBERRY
Journal Staff Writer

The Senate today adopted a resolution by Sen. Ryan deGraffenried designed to help return to the states some of the powers taken away from them by U. S. Supreme Court decisions.

The resolution asked Congress to call a convention to consider submitting to state Legislatures an amendment to the U. S. Constitution as follows:

"No statute of any of the several states shall be held to be invalid as in conflict with any federal statute, unless such federal statute expressly provides that such statutes of the several states in conflict therewith are invalid."

Explaining the resolution, deGraffenried said he felt as if something along this line held the possibility of success. He said it must have a broad enough base to appeal to the rest of the country, as well as the South.

He said the encroachment upon the rights of many states has caused them to be powerless to act in any field where Congress has enacted legislation, and added:

"This has seriously hampered the several states in protecting themselves from internal subversion, in regulating the learned professions and commercial enterprises within their boundaries."

Otherwise in the Senate today, approval was given a resolution creating two interim committees to work between now and the start of the regular session in May. The House approved this resolution yesterday.

The committee on finance and taxation will make plans for the general and education appropriation bills for the next two years, and consider the financial needs of public education.

Sen. Vaughn Hill Robison of Montgomery, the administration's Senate floor leader, said the second committee on revision of laws will probably consider the proposed new insurance code, loan legislation, changes in the welfare laws, and statutes relating to boards of registrars.

Yesterday, the House set up two Legislative interim committees.

One of the committees would study finances, with particular emphasis on the needs of public education, while the other would consider general legislation.

Gov. John Patterson was expected to sign into law sometime today the three bills authorizing 60 million dollars in bonds for highway purposes.

Final enactment came yesterday when the Senate passed the House bills. Not a vote was cast against the bills in either body.

The Senate killed a House-passed bill to submit a Constitutional amendment permitting an additional five mill property tax for schools in any county or school district, provided the affected voters later approved.

A motion to indefinitely postpone carried 18-16. The 16 votes favoring the bill were far short of the 24 needed for passage as it was not in the governor's call and a two-thirds vote of the entire membership would have been necessary.

A few minor general and many local bills were passed by the two houses.

Legislative Immunity Bill Pushed

Final Action Expected Today

MONTGOMERY, Feb. 19 (AP)—Race-conscious Alabama legislators rushed toward the conclusion of their special session today, but paused long enough to take up another slap at the Federal government.

A bill to prohibit Federal agents or any others from serving legal papers on House and Senate members while the Legislature is in session cleared its next to last hurdle on the way to almost certain passage.

The House-approved measure got its second reading across the hall and will be on the Senate calendar for final action on the closing day of the session tomorrow.

It was prompted by the action of a deputy U. S. marshal in notifying Rep. Grady Rogers of Macon County, while the House was in session, that he had been made a defendant in a Justice Dept. suit charging denial of Negro voting rights.

Rogers was a member of the Macon voter registration board until his resignation last December in the wake of a Civil Rights Commission hearing.

Another measure growing out of the deepening racial controversy received final legislative approval during the day. It would give authorities in Wilcox County the right to spend public funds to move jobless Negroes to other states if they wanted to go.

The bill, originally sponsored by Sen. Roland Cooper, provides for a countywide referendum first to see if residents of the county are willing to use tax money for that purpose. It was altered by a technical amendment on the House floor, but the Senate promptly concurred in the change.

Negroes who agreed to move from Wilcox County under the resettlement program would be ineligible to get back on relief rolls if they returned to Alabama.

The legislative immunity measure also would protect House and Senate members from being served with legal papers while en route to or from a session of the Legislature.

Any officer convicted of violating the law could be sentenced to a year in jail and fined $1000.

The House and Senate spent most of today's brief session clearing their calendars of pending local bills and a few non-controversial measures of statewide effect.

One general bill passed by the Senate and sent to the governor would give YWCA organizations the same tax exemptions previously granted to the YMCA.

Another, aimed principally at the establishment of a university center at Huntsville, would authorize any county to make appropriations to an institution of higher learning to help meet the cost of acquiring a building.

Measure Goes To Governor For Approval

A bill to keep federal civil rights agents from getting access to Alabama voter registration records was enacted into law today by the Legislature.

The vote in the House on the measure was 84-0. It previously was approved by the Senate.

Because the bill wasn't included in Gov. John Patterson's call for the current special session, it took a two-thirds majority of the total House membership, or 71 votes, to pass it.

GOES TO GOVERNOR

The measure now goes to the governor for his promised signature. Patterson agreed to support it even though he didn't mention it in calling the session.

The bill gives county voter registration boards the right to throw away old questionnaires filled out by prospective voters who subsequently were turned down.

It requires county authorities to save the records only for the 30 days in which rejected applicants can appeal to court in an effort to get registered.

The measure sailed through the House within a minute or so after it was called up. There was no debate, only a brief explanation of its purpose by Rep. McDowell Lee of Barbour County who, ironically, is a former FBI agent.

House members also passed and sent to the Senate another bill growing out of the recent Civil Rights Commission inquiry into alleged denial of Negro voting rights in Alabama.

The bill would make members of the House and Senate immune from service of legal papers while the Legislature is in session or while they are en route to or from a session.

It was prompted by the action of a deputy U.S. marshal in serving papers on Macon County Rep. Grady Rogers notifying him that he was a defendant in a Justice Department suit charging discrimination against prospective Negro voters in that county.

The papers were handed to Rogers while the House was in session. The Macon County legislator served on the voter registration board in his county but resigned last December in the wake of the Civil Rights Commission investigation.

GETS $1,000 FINE

Under the bill passed today, anyone serving papers on a legislator while in session could be fined $1,000 and sentenced to jail for a year.

The special session headed meanwhile for speedy final adjournment with Patterson's 60 million dollar highway bond issue already enacted into law. It was passed by the Senate Tuesday.

That left the voter registration measure as the only major bill up for action today.

Legislature Will Close Shop Today

Advertiser

Eventless Session Expected Before Final Adjournment

The first special session of Gov. John Patterson's Administration will end Friday with the chief executive having secured from the lawmakers all that he asked for.

Patterson summoned the legislators into extraordinary session Feb. 3 to approve a $60 million road bond issue. In the minimum time allowed by law of five legislative days the bond issue was approved. Not a single member of either the House or Senate voted against the legislation.

Friday's session is expected to be brief and eventless. Both chambers convene at 10 a.m., both chambers are expected to adjourn and scatter in all directions within the hour.

The only measure of major importance on Friday's agenda is a proposal which would further strengthen the immunity of the legislators from arrest or summons while in session.

IN SESSION MEASURE

The measure, introduced by Rep. T. Ralston Long of Uniontown, would prohibit federal agents or any others from serving legal papers on legislators while the Legislature is in session.

Long's bill was introduced shortly after Rep. Grady Rogers of Macon was called from the House chamber recently and served with a federal court order stemming from an investigation by the Civil Rights Commission into voter registration in Macon.

Another pro-segregation bill, but local in application, sailed through the House Thursday.

PREVIOUSLY APPROVED

Previously approved by the Senate, this bill would allow authorities in Wilcox County to use public funds in paying the transportation costs of indigent persons who wished to move out of state.

The bill is aimed specifically at Negroes in the county. Under the provisions of the measure, persons on the welfare rolls could petition for such aid. In the event such persons who were moved decided later to return to Alabama they would not be eligible for further welfare aid.

The plan will go into effect only upon the approval of the Wilcox County voters in a local referendum.

YWCA TAX EXEMPT

The Senate, in a brief afternoon session Thursday, put the final stamp of approval on a House bill exempting Young Women's Christian Assns. from state, county, and city taxes.

Another bill approved by the upper chamber would allow Huntsville and Madison County to join hands with the University of Alabama in constructing a new extension center in the missile city.

The measure has broad general application, however, in that it authorizes any muncipality or county to contribute to planned facilities and buildings of institutions of higher learning.

Nine additional bills from the House were passed in the upper chamber, four were indefinitely postponed and one was carried over to the Friday calendar as senators prepared to move into their final day of lawmaking.

Patterson Joins In Move To Curb Black Belt Delay

Alabama Journal
Montgomery, Ala
Wed. 5-13-59

Rule Changes Are Expected To Be Sought

Gov. John Patterson has joined forces with North Alabama senators in a drive to halt a continuing deadlock in the Legislature.

He conferred with several senators after Black Belt Senate members took up the filibustering their House colleagues had used to bog down the lower chamber at both sessions last week.

The delaying tactics spread to the Senate when Hale County Rep. Charles H. Ramey agreed to let the House clark stop reading a 400-page insurance bill. House members had listened to the monotonous reading since the 1959 session began May 5.

Until yesterday, Senate sessions had been somewhat more harmonious. While Patterson's demands for new school taxes and reapportionment sparked a continuous filibuster in the House, Senate Black Belt members protested by stalling in spurts.

VOTES PREDICTED

After the top level talks, an administration spokesman predicted Patterson's Senate forces will have the votes in a showdown to strip the Black Belt of some of its filibustering strength. They want to change the rules to prohibit reading of the journal of the previous day's activities until a majority of the voting senators wanted to hear it. Current rules call for unanimous consent to waive the reading.

It was noticed by Sens. Bert Haltom of Lauderdale County and Ryan deGraffenried of Tuscaloosa of an upcoming effort to change the Senate journal rule that touched off the renewed filibustering yesterday.

Angry at the thought of possibly losing a favorite time-killing maneuver, Black Belt senators started stalling for time by introducing new bills and having them read word for word.

It made little difference what sort of bill it was, but the longer the better. Black Belters had foreseen such action as the impending journal rule change, and gained unanimous consent earlier to go back to introducing bills at anytime.

Alabama Journal
Wed. 5-13-59

DELAY TACTICS INVOKED

The Senate already had finished introducing bills for the day, but Black Belt members startedusing their strategic weapon to the hilt. They tossed in almost anything at hand so as to have plenty of filibuster material.

Filibustering obviously will continue at the next Senate session Friday unless Black Belters are sure they can defeat the Hallom-deGraffenried motion to change the journal rule.

The South Alabama Black Belters, by a vote of 24-10, beat down a similar effort to change the journal-reading rule during the organizational session in January. Then, however, Patterson hadn't given his support to the rules change.

Meanwhile, a flood of 160 bills were introduced in the House when the logjam broke. Among those that hadn't been offered earlier because of the filibuster were the administration measures to provide a 42-million-dollar tax increase for school needs.

NEW BILLS OFFERED

Some of the new measures appearing in the Legislature were:

An interim study committee's proposed new small loan law, bearing the signatures of 44 House members.

A bill to prohibit efforts to influence a land appraisal commission, by Rep. Charles Trimmier of Mobile. It stems from the controversial Mobile investigation which found no administration pressure was used to get a large award for a property owner. Trimmier had told the House earlier there may have been government influence in the case.

A package of segregation bills, one of which would give the governor power to close any integration-threatened school.

A measure by Fayette Rep. James A. Branyon to require a year's residence for divorce, thus stopping the current practice of out-of-state couples getting divorces in a matter of hours.

A proposed constitutional amendment to take control of the State Docks away from the governor, by Rep. Joseph M. Hocklander and Sen. Will Caffey of Mobile.

A bill to prohibit insurance companies from canceling health and hospital benefit policies after they have been in effect two years, by Sen. G. Kyser Leonard of Talladega.

A measure to make it a felony for a prisoner to escape from county jail, just as it is now for state prisons, by Sen. Lawrence K. Andrews of Bullock.

Ired Legislators Aim Filibusters At Patterson

Ala. Journal
Montgomery Ala,
Wed. 5-6-59

By FORREST CASTLEBERRY

The Alabama House of Representatives apparently has decided to let Gov. Patterson know that lawmakers have some rights and that they must be respected.

A "lazy man's" filibuster which erupted yesterday is believed caused by pent-up feeling among many members over such matters as:

(1) The tax equalization program.

(2) Inaccessibility of the governor.

(3) Resentment over committee appointments.

(4) Introduction of administration revenue and appropriation bills without copies being made available to members.

OTHER CAUSES CITED

Some observers have called the first day's tactics a Black Belt fight against reapportionment. But Black Belters aren't usually concerned about such an issue on the first day of a session.

One leading insurgent said no one thing caused it, with those taking part having almost as many reasons as individuals taking part.

The filibuster resulted when the House refused to suspend the rules to dispense with reading of bills at length on introduction. It is called a lazy man's filibuster because members taking part do not have to do any talking to kill time. The clerks have to do the work — reading the voluminous measures, with scarcely anyone listening.

In the Senate, some bills also were read at length but this semed connected in no way with the House action. The Senate bills were not long and this body soon went on with other business.

The day was marked by submission in both houses of administration bills to raise 42 million dollars in new revenue for schools.

Wed. 5-6-59

They call for a three per cent tax on new and used cars and construction contracts exceeding $25,000, plus constitutional amendments to boost the corporation income tax maximum from three to five per cent and lower the personal exemptions.

Sen. Bert Haltom of Lauderdale County introduced the storm-provoking reapportionment bill in the Senate. Reps. Woodrow Albea of Calhoun County and Albert Brewer of Morgan did the House honors.

The governor's controversial property tax equalization program hit a possible stumbling block in the House. Rep. Sim Thomas of Barbour tossed in a bill to wipe out the Revenue Department's power to review local tax assessments.

34b 1959 ALABAMA

BILLS INTRODUCED IN FIRST LEGISLATIVE DAY

SENATE

The following bills were introduced in the Senate Tuesday on the first legislative day. (In order, number, sponsor, purpose and committee assignment):

SB 1—Haltom, DeGraffenreid, Rutledge; to reapportion membership of House and Senate; Constitution, Constitutional Revision and Amendments.

SB 2—Haltom; relates to ad valorem tax exemptions; Finance and Taxation.

SB 3—Haltom; relates to ad valorem tax on motor vehicles; F&T.

SB 4—Haltom; makes technical changes in ad valorem tax law; F&T.

SB 5—Haltom; pertains to tax collectors reports; F&T.

SB 6—Haltom; relates to assessment notices sent by mail; F&T.

SB 7—Rutledge, et al; general appropriation bill; F&T.

SB 8 and 9—Rutledge, et al; appropriation to Council of State Governments; F&T.

SB 10—Rutledge, et al; appropriation to Southern Regional Council on Mental Health; F&T.

SB 11—Rutledge, et al; repeals act fixing salary of executive secretary of soliciter of 6th Judicial Circuit; F&T.

SB 12—Rutledge, etal; relates to sale of sand and gravel from state lands; F&T.

SB 13—Rutledge, et al; transfers powers of Alabama Pension Commission to State Dept. of Pensions and Securities; F&T.

SB 14—Rutledge, et al; provides attorney's fees for capital cases for this year; F&T.

SB 15—Rutledge, et al; permits superintendent of banking to collect fees for inspections of banks, etc.; Banking.

SB 16—Rutledge, et al; relates to sale of timber by Conservation Department from state lands; F&T.

SB 17—Rutledge, et al; education appropriation bill; Public Education.

SB 18—Rutledge, et al; appropriation to Southern Industrial Institute; F&T.

SB 19—Rutledge, et al; appropriation to Walker County Junior College; F&T.

SB 20—Rutledge, et al; appropriation to Alabama Vocational School for Girls; F&T.

SB 21—Rutledge, et al; appropriation to Tuskegee Institute; F&T.

SB 22 and 23—Leonard; local bills to keep tax assessor's fees at same rate despite population change and to permit justice of peace to try driving while intoxicated cases; Local Legislation.

SB 24—Hines; relates to compensation to probate judges for preparation of election lists; F&T.

SB 25—Golson; authorizes county board of education to levy special fee for education; Local Legislation.

SB 26—Golson; provides for payment of moving expenses for certain unemployed persons who voluntarily leave the county; Local Legislation.

SB 27—Dumas, et al; provides for withdrawal of school districts from state system, etc.; Education.

SB 28—Dumas, et al; makes it illegal for any corporation, organization, group or person not to disclose funds received for aid or maintenance of any suit, etc.; Judiciary.

SB 29—Porter; provides conditions for absentee voting; C, CR&A.

SB 30—Porter; permits additional school taxes within individual school districts; C, CR&A.

SB 31—Eddins; changes name of Memorial Bridge on U.S. 80 crossing Tombigbee River to Demopolis Rooster; Public Roads and Highways.

SB 32—Eddins; makes unlawful to shoot deer within 100 feet of navigable stream; Conservation.

SB 33—Eddins; pertains to certain posted vessels; Conservation.

SB 34—Eddins; provides current appropriation applies if general appropriation bill not passed by 26th legislative day; F&T.

SB 35—Eddins; relates to closing of bank accounts upon death of depositor; Banking.

SB 36—Eddins; protects killing or taking of a deer from water craft or vessel; Conservation.

SB 37—Eddins; prohibits hunting deer at night with motor vehicle; Conservation.

SB 38—Eddins; abolishes State Board of Adjustments and substitutes Joint Legislative Committee on Claims; F&T.

SB 39—Eddins; provides for investigation to see if any gas or oil company is engaged in fixing prices, etc.; Judiciary.

SB 40—Eddins; requires registration of brake fluids and adopts standards to which such fluids must conform; F&T.

SB 41—Cooper; provides for issuance of driver learner permits for persons aged 15 and 16; Judiciary.

SB 42—Barnett, et al; provides for segregation of sexes in public schools on a permissive basis; Education.

SB 43—Clark; pertains to holding of elections in Barbour County; Local Legislation.

SB 44—Andrews; provides for withdrawal and discontinuance of public schools; Education.

SB 45—Andrews; prohibits write-in votes in elections; Privileges and Elections.

SB 46—Andrews; makes it felony to buy or offer to buy vote; P&E.

SB 47—Andrews; permits state superintendent to deed school property to county boards of education; Education.

SB 48—Andrews; repeals law which makes selling of vote a crime; P&E.

SB 49—Andrews; requires notice of convictions of individuals be sent to county board of registrars; P&E.

SB 50—Andrews; provides purging of voter lists and reidentification of voters; P&E.

SB 51—Andrews; makes poll tax cumulative; P&E.

SB 52—Andrews; prohibits payment of one's poll tax by another person, except members of family; P&E.

SB 53—Andrews; provides for absentee voting by veterans, etc., only; P&E.

SB 54—Andrews; authorizes governor to close any public school; Education.

SB 55—Samford, et al; provides for uniform judicial notice act; Judiciary.

SB 56—Samford; permits levying of special education tax in Auburn; F&T.

SB 57—Samford; provides $100,000 for State Toxicology Building at Auburn; F&T.

SB 58—Givhan; provides raising salary of probate judge, et al, in Dallas County; Local Legislation.

SB 59—Givhan; fixes compensation of probate judge, et al, in Dallas County; Local Legislation.

SB 60—Givhan; prescribes that no "form of race mixing" shall be engaged in by any private club, association or church unless two-thirds or three-fourths of the total membership approve, depending on whether the meeting is a local of state or district meeting of such organizations; Judiciary.

SB 61—Givhan, et al; provides for amending medical scholarship laws; F&T.

SB 62—Givhan; enlarges powers of county boards of equalization; F&T.

SB 63—Givhan, et al; removes equalization powers of State Department of Revenue; F&T.

SB 64—Wilson; prohibits police officers joining labor unions; Judiciary.

SB 65—Farmer, et al; abolishes common-law marriage relationship; Judiciary.

SB 66—Farmer, et al; curbs welfare payments to mothers of illegitimate children; Local Legislation.

SB 67—DeGraffenreid; appropriates money to University of Alabama for building to house State Gas and Oil Board; F&T.

SB 68—DeGraffenreid, et al; pertains to licensing of persons to teach dentistry; F&T.

SB 69—DeGraffenreid; relates to ad valorem tax exemptions; F&T.

SB 70—DeGraffenreid; relates to exemption of blind persons to license fees; F&T.

SB 71—DeGraffenreid; pertains to attorney fees for indigent capital cases; F&T.

SB 72—De Graffenreid; pertains to attorney fees in indigent capital cases; F&T.

SB 73—Haltom; empower legislature to hold limited Constitutional Convention; Constitution, Constitution Revision and Amendments.

SB 74, 75, 76 & 77—Pertains to qualifications to practice medicine and chiropractic and establishes board to license such practitioners etc.; Public Health.

SB 78—Kendall, et al; provides for air-conditioning State Archives and History Building; F&T.

SB 79—Kendall, et al; pertains to payment of welfare funds to illigitimate-children; Welfare.

SB 80—Rutledge, et al; makes barratry (inciting of lawsuits) a crime under state law; Judiciary.

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HOUSE

The following bills were introduced in the House Tuesday on the first legislative day (in order, number, sponsor, purpose and committee assignment):

HB 1—Smith, et al; the general appropriation bill; Ways and Means.

HB 2—Smith, et al; to make an appropriation to the Council of State Government; Ways and Means.

HB 3—Smith, et al; to make an appropriation to the Southeastern Advisory Council; Ways and Means.

HB 4—Smith, et al; to make an appropriation to the Southern Regional Council for Mental Treatment; Ways and Means.

HB 5—Smith, et al; to provide that proceeds from the sale of state-owned sand and gravel go into the General Fund; Ways and Means.

HB 6—Smith, et al; to provide an appropriation to the Department of Conservation relative to the sale of state-owned timber; Ways and Means.

HB 7—Smith, et al; to appropriate $15,000 to be used as attorneys' fees in indigent capital cases; Ways and Means.

HB 8—Smith, et al; to transfer duties of the Alabama Pension Commission to the Department of Pensions and Security; Ways and Means.

HB 9—Smith, et al; to provide for salary for the stenographic staff in the Sixth Judicial Circuit; Ways and Means.

HB 10—Smith, et al; to repeal an act passed in 1957 providing for the collection of a fee from banks and lending institutions for examinations; Ways and Means.

HB 11—Smith, et al; to appropriate $500,000 for the operation of the Legislature; Ways and Means.

HB 12—Brannan; relating to the disposition of certain property in Baldwin County; Judiciary.

HB 13—Brannan; relating to reports and remittances filed by tax assessors; Local Government.

HB 14—Brannan; relating to reports filed by tax collectors; Local Government.

HB 15—Brannan; to allow tax assessors and collectors to send certain notices by certified mail; Local Government.

HB 16—Brannan; relating to certain exemptions from the property tax; Ways and Means.

HB 17—Brannan; relating to the ad valorem tax on trailers; Ways and Means.

HB 18—Brannan; relating to the ad valorem tax on motor vehicles; Ways and Means.

HB 19—Thomas, et al; to take away authority of State Revenue Commissioner to assess property for tax purposes; Ways and Means.

HB 20—Thomas, et al; relating to the authority of Boards of Equalization in the assessment of property for tax purposes; Ways and Means.

HB 21—Ashworth, authorizing the Attorney General to make examinations of records of corporations in Alabama; Judiciary.

HB 22—Taylor; relating to the payment of aid to dependent children; Public Welfare.

HB 23—Faulk; relating to dependent children aid; Public Welfare.

HB 24—Glass; to designate the Camellia as the state flower; Conservation.

HB 25—Glass; local bill relating to Butler County; Local Legislation No. 1.

HB 26—Albea; local bill relating to Calhoun County; Local Legislation No. 1.

HB 27—Albea, et al; to reapportion the Legislature, providing for 40 members of the Senate and 120 members of the House; Constitutions and Elections.

HB 28—Reynolds; local bill relating to Chambers County; Local Legislation No. 1.

HB 29—Ingram; local bill relating to Clay County; Local Legislation No. 1.

HB 31—Casey; the Uniform Act on Fresh Pursuit, authorizing law officers in the purusit of a felon to continue chase into another state; Judiciary.

HB 32—Bishop; relating to the nomination and election of county school superintendents; Education.

HB 33—Harris; local bill relating to DeKalb County; Local Legislation No. 1.

HB 34—Harris; relating to elections and the marking of ballots; Constitutions and Elections.

HB 35—Harris; to authorize county school boards to sell interest bearing warrants; Ways and Means.

HB 36—Copeland; relating to the issuance of worthless checks; Judiciary.

HB 37—Copeland; relating to the payment of salaries with worthless checks; Judiciary.

HB 38—Copeland; relating to civil remedies resulting from the issuance of worthless checks; Judiciary.

HB 39—Copeland; providing for privileged communications between members of the clergy and others in matters relating to spiritual advice; Public Welfare.

HB 40—Copeland; relating to wet-dry referendums; Health.

HB 41—Branyon; local bill relating to Fayette County; Local Legislation No. 1.

HB 42—Branyon; local bill relating to Fayette County; Local Legislation No. 1.

HB 43—Oden; to prohibit the advertising of alcoholic beverages in newspapers; State Administration.

HB 44—Faulk; local bill relating to Geneva County; Local Legislation No. 1.

HB 45—Faulk; local bill relating to Geneva County; Local Legislation No. 1.

HB 46—Martin; the adoption of a new insurance code; Insuranec.

'BAMA HOUSE OK'S SEGREGATION BILL

MONTGOMERY, Ala. (UPI) —The House has taken another step toward strengthening Alabama's segregation barrier by unanimously passing a bill which would permit public school funds to be used for private school tuitions.

The measure, sponsored by Rep. Gregory Oakley of Pine Apple, would permit county and city boards of education to give public school funds to students of padlocked schools as tuition to private non-denominational schools.

Oakley said the measure was a safeguard aimed at continuing education if schools were closed to prevent integration.

A bill pending in the Senate would permit the governor to shutter any public school faced with race mixing.

ON THE HOUSE

Taylor Offers Bill Aimed At Curtailing Financial Aid For Illegitimate Children

Montgomery, Ala.
Advertiser
1-18-59
Sec. 5-6-59

By BOB INGRAM

Veteran Rep. H. B. (Brog) Taylor of Butler set the stage Tuesday for a hot legislative fight on a bill aimed at curtailing state financial aid to the children of unwed mothers.

Taylor introduced a measure in the House prohibiting any state aid in the event a second illegitimate child is born to the mother after she has already received state assistance for another illegitimate child.

The measure provides that no payment can be made to a child unless it is living in a "suitable family home," which according to the bill is determined by the conduct of the parent.

TAYLOR

"A determination of a suitable home shall include the pattern of living of the parent or other relative with whom the child resides, whether the parent or relative is promiscuous, has casual relationships either in or outside the home, has continued to have illegitimate children, and has otherwise failed to demonstrate an intent to establish a stable home," the bill said in part.

While Taylor's bill makes no mention of race, it is admittedly aimed at discouraging the high rate of illegitimacy among Negroes.

Legislation similar to this was recommended for passage by the interim Committee on Revision of Laws, but not without strong opposition.

Rep. E. H. Hanby of Etowah has been most outspoken in opposition to the measure, insisting it would be "un-Christian" to punish the child for the mistakes of the parent.

Sen. Haltom Turns Fire On Black Belt

Want Own Bills Passed, But Not Interested In Others, Senator Says

Birmingham, Ala.

BY CLARKE STALLWORTH

A group of Black Belt senators, led by Sen. L. K. Andrews of Union Springs, is trying to get its bills passed in the Alabama Senate and leave other important measures tied up in the grip of filibuster.

So said Sen. E. B. Haltom Jr. of Florence during a television interview yesterday. Post-Herald

"I think there's a plan on the part of a small group in the Senate to try to get their bills out first . . . to leave such things as the general appropriation bill and the education appropriation bill lagging behind," said Sen Haltom.

On Friday, Haltom demanded that the Senate Journal be read at length, which slowed down Senate activity. Block 5-11-59

Haltom mentioned Sen. Andrews as the leader of the Black Belt slowdown group and said that "some of the other members from South Alabama have a few measures that they feel should be given more consideration than some of ours." PI

Would Use Filibuster

He warned that he and other North Alabama senators would use the filibuster rules in the Senate to block some of the Black Belt measures. He was asked if he would try to block segregation measures sponsored by the Black Belters.

"That would depend on what type of segregation measure it was. I certainly wouldn't let my desire for reapportionment stand in the way of supporting a bill that would preserve our Southern way of life," said Haltom, "but there are a lot of bills they call segregation measures that in my opinion are not needed and unnecessary. As far as that type bill is concerned, I would join in to block it."

Haltom said the Black Belters "probably have more voting power the Senate than we do."

"They have been willing to use certain phases of Senate rules. North Alabama legislators have been unwilling to do it in the past. But I would hasten to say that personally I expect to use those rules the same as some of my colleagues from the southern section of the state," he said.

Asked Position

Asked his position on Gov. John Patterson's tax program for education and the program advocated by the Alabama Education Commission, Haltom said:

"We're not going to be able to take either one of these packages and pass it in the next few weeks. There is a restlessness among the various members (of the Legislature).

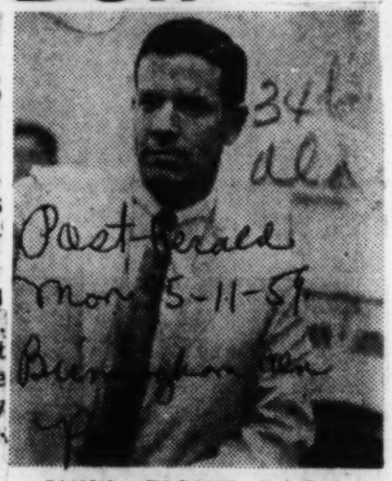
"It's difficult to say which program we will adopt, and I would hesitate to say that I would vote for one (tax) measure and wouldn't vote for another one, but I'm determined that the Legislature of Alabama is going to shoulder its responsibility to education.

"Although I might not personally be inclined to vote for a certain measure, I would be inclined to do it if that's the only way we could raise the money for schools."

Haltom was asked if he thought the program of building inland docks should be continued. The Lauderdale County senator said there was "some mal-administration" of the inland docks construction program during the administration of former Gov. James E. Folsom. Post-Herald

"Mere Fact"

"But I do not believe that we should take the mere fact that one particular administration perhaps did not spend the money as wisely as it could have to say that we're not going to carry forward that program," he said.



WILL FIGHT BACK—Sen. E. B. Haltom.

"Gov. Folsom joined in with those of us who were for it and I think that Gov. Patterson will. I hope he wil, anyway," Haltom said. Birmingham, Ala.

The senator said he did not favor Patterson's property tax equalization program, but at the same time, he said he didn't favor a legislative move to wreck it.

He said Patterson's program "is going to fall from its own problems. He can't possibly carry out his announced intention of equalizing taxes on a 30 per cent basis during the four years that he has as governor." Block 5-11-59

"It's a serious mistake to try to do something that the people of Alabama are unwilling for the executive department to do, and I believe that the growing opposition over the state is indicative . . . that the people don't want Gov. Patterson's tax equalization program as he has announced it," he said.

Haltom said he did not favor a bill by Rep. Sim Thomas of Eufaula to strip Revenue Commissioner Harry Haden of his powers to change property assessments made by local boards of equalization.

The senator said this power has been used to "nudge" tax assessments upward.

He was questioned on "Alabama Press Conference" on WAPI-TV.

State School Closing Bill Faces Tests

Montgomery Adv. Montgomery, Ala.

The state Senate will put the small loan dispute momentarily aside Tuesday and turn its attention to a new hassle boiling up over a proposed school closing law. Jue. 10-27-59.

Gov. John Patterson wants the power to shut the doors of any school threatened with integration. At least two members of the Senate has promised to fight the pending bill when it comes up.

And unless the regular order of business is set aside to clear up non-controversial local measures, the school closing bill is first up when the Senate reconvenes Tuesday after the weekend recess.

NEW LOAN BILL

Across the hall meanwhile, the House faces the choice of accepting the substitute small loan measure which the Senate passed in place of the Gilchrist bill, or sending it to a conference committee.

Administration leaders, who fought in vain against the substitute rammed through by a Senate majority bloc, will ask the House to reject the changes.

A conference committee will give the governor another chance to rewrite the loan bill to his liking. And if he fails there, he can change it any way he sees fit by executive amendment once the Legislature finally passes the measure and sends it to his desk.

AUTOMATIC VETO

If Patterson did rewrite the bill, the Legislature would have to take it his way or gamble on overriding a veto, because an executive amendment automatically becomes a veto if the House and Senate refuse to accept it.

The governor is anxious, too, for the Legislature to pass the school closing measure which would give him the right to step in to prevent integration.

But Sens. A. C. Shelton of Calhoun County and Bert Haltom of Lauderdale have denounced the bill as a dangerous step which might give the federal courts a weapon to keep the schools open.

They promised to fight the measure; Shelton said he would filibuster if necessary to kill it.

Opponents argue that so long as the governor has the power to close any school—even though the bill makes no mention of segregation—the courts may interpret that as meaning the state operates all the schools.

And if one tries to close its doors to prevent integration, they say, every other school in Alabama may have to close, too, or they all must remain open.

A three-judge federal panel in Virginia ruled recently that all schools under the jurisdiction of the same operating authority must remain open or closed.

Anti-Integration Bill Is 'Walked' To Death

The Call Kansas City, Mo
Nov 11-20-59

Special to AND

MONTGOMERY, Ala. — A. C. Shelton, an Alabama lawmaker from Calhoun county, added a new twist to the integration picture recently when, technically, he walked a "drastic" anti-integration bill to death before it could reach the floor of the state senate.

This is what happened:

Two pro-segregation measures, giving the governor the power to close schools threatened by integration, were passed by the house and sent to the senate. Before they could be considered by the senate as a whole, however, they had to be cleared through the senate education committee.

From what the Associated Negro Press was able to learn, there was strong sentiment in the senate for the administration-sponsored bills. The committee seemed the only hurdle, and that unit appeared ready to speed both bills to the floor.

However, Shelton, thinking and acting quickly, killed the bills—by simply wandering off with the measures in his pocket, thus preventing committee action.

This, of course, meant "sudden death" for the bills. since Shelton is also chairman of the committee, and as such, refused to call another meeting. At the time he scuttled the bills, the senate had only one more day to go in its recent session.

Another anti-integration bill, providing for greater control over the state library, sailed through the house and was on its way to approval by the senate.

The bill gives the library board more leeway in picking a library service director, by modifying the qualifications set up in the law. The present director, Miss Emily Reed, was roundly criticized some time ago by legislators, who complained that "pro-integration books" have been circulated through state-supported libraries.

Alabama Getting Many New Laws

Appeal
Memphis, Tenn
Nov 11-21-59
1,177

Governor Patterson Is Busy Signing Bills Recently Passed By Assembly

By United Press International

MONTGOMERY, Ala., Nov. 20.—Alabama had more than 100 new laws Friday with many more expected before midnight Sunday.

Gov. John Patterson signed the measures into law during a lengthy session and they were part of 300 sent to his desk on the final day of the 1959 Legislature.

The Governor has until midnight Sunday to complete the law making process. Any bills not signed by then will be pocket vetoed automatically.

Signs Boating Law

The Governor signed the boating safety law and a measure to give the attorney general more control over the sale of securities.

Patterson said the securities bills are "the most important to pass the Legislature. We have needed to have the state securities law revised for a long time."

The new law provides for the registration of securities to be sold in Alabama as well as the registration of securities dealers and salesmen. It places a criminal penalty of five years in prison and-or a $5,000 fine for violation.

The boating law was passed to avoid a Federal regulation which requires that the Federal Government take over boating regulation if states fail to provide adequate laws.

Other bills signed by Patterson would:

Put a ceiling of $5,000 on the amount hotels are liable for when valuables are lost or stolen.

Require the state Department of Education to furnish free textbooks to pupils and teachers in classrooms and schools conducted under the supervision of state hospitals.

Would Create Post

Make it a misdemeanor to obtain or attempt to obtain telephone or telegraph service through fraudulent methods.

Create the post of chief engineer in the state Highway Department.

And construct, maintain and repair streets, roads, drives and parking areas on state supported institutions of higher learning, state hospitals and Partlow State School for Mentally Retarded Children.

34b 1959

Bills offered to tighten laws on segregation

BY HUGH SPARROW
News staff writer

MONTGOMERY, Ala., Feb. 4 — Alabama legislators' concern with federal probes of state voting and attacks on segregated living is shown by a flood of bills laid before the Legislature.

The measures submitted as the special session opened indicate that members of both houses took the recent Civil Rights Commission inquiry as a clear warning something more must be done now.

NOT ONLY did the legislators offer several bills seeking to tighten up the laws on registration and segregation, but they presented resolutions on the subjects as well.

One resolution—given speedy approval by both houses yesterday—called on Congress to authorize a special convention to submit a constitutional amendment restoring full control of public education to the states.

It was sponsored by Tuscaloosa Sen. Ryan deGraffenried.

He told the Senate that his bill was a plan similar to the bill backed by Georgia Sen. Talmadge. The latter bill, he said, provides for Congress to submit a constitutional amendment to the states recapturing schools for the states.

DeGraffenried said he believed Congress would be much more likely to let a convention act on the constitutional amendment than it would be to submit the amendment itself.

THE BILLS amending the registration laws included:

One proposal requires the Supreme Court to issue new questionnaires to test voter applicants.

The bill, in addition, requires applicants to reveal whether they have had any previous knowledge of the questionnaire.

One bill provides that all registrars must dispose of all records of applicant rejections within 30 days. Another merely gives boards the right to dispose of such records.

A JOINT resolution offered in the House would create a committee having over-all supervision over bills relating to segregation and similar problems.

When such a bill is introduced and sent to a standing committee that committee would have to refer it first to the over-all committee. Such a committee functioned throughout the 1957 regular session. It winnowed out many trivial or non-workable pieces of segregation legislation.

Other segregation measures would:

Keep voter registration records away from federal investigators and prohibit registrars from revealing their content to anyone except an Alabama court.

Allow rural Wilcox County to use public funds to send Negroes to Northern states to live.

Create a standby legislative committee to watch racial developments in heavily Negro populated Macon County.

AROUSED BY the recent Civil Rights Commission inquiry in Alabama, Dallas County Sen. Walter C. Givhan and 28 other senators co-sponsored a bill to allow voter registrars to destroy old questionnaires filled out by rejected applicants. Then the registration officials could tell inquiring agents the records no longer existed.

It was those questionnaires used as a factor in determining who may vote, that the Civil Rights Commission had to get a court order to see in three Alabama counties last month. State authorities had refused to show them.

In an effort to keep Negro would-be voters from memorizing answers to the registration questionnaire, Sen. Robert G. Kendall of Conecuh County offered a bill to require the Supreme Court to change the questions annually.

Such a measure also would hamper Negro leaders in instructing members of their race on how to answer the questions, which haven't been revised since the requirement became state law in 1951.

PENNILESS Negroes would get a county-paid transfer to live in Northern states under a proposal of Wilcox County Sen. Roland Cooper.

Only welfare recipients would be moved, and the program would have to be approved by Wilcox voters. A transferred Negro would be ineligible for welfare money if he returned to Wilcox County or elsewhere in Alabama.

Introduction of the Macon County standby committee measure, meanwhile, resulted from hearings held by another committee last year. The group studied the proposed abolition of Macon County in order to prevent Negroes, who outnumber whites there 6-1, from gaining political control.

The Legislature was empowered by a recent constitutional amendment to do away with the county or reduce it in size. The proposed committee would watch the situation and recommend any necessary action to spread the heavy Negro population among surrounding counties.

Bill would hold new club over race agitators

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., April 18—A bill is being drafted which would give the state and local authorities ample power to crack down on racial agitators from an unexpected angle.

Person found to be active in promoting racial discord, agitating for boycotts or otherwise endeavoring to provoke a breach of the peace could, under the bill, be forced to give a full accounting as to what groups and individuals are backing them.

More important still, they would be required to declare under oath the source of their money and the amounts received.

With teeth in it

PERSONS THUS CALLED on for an accounting could be prosecuted for perjury in event they do not give a correct statement of financial backing they have received.

The measure also would apply to those who are active in promoting suits tending to cause racial discord.

Drafters of the measure are widely known lawyers who are regarded as experts on constitutional questions.

The bill would be a substitute for a proposal drafted by Wilcox County Rep. Sam C. Nettles Jr. and submitted to an interim study group several days ago.

Rep. Nettles' bill would give authorities power to compel organizations such as the NAACP to disclose the names of their backers and contributors to their operating funds.

It was decided to rewrite the bill and to give it a broader application by making it apply to any individuals or organizations.

NAACP functioning?

THE NAACP has been under an injunction which bars it from operating in Alabama since 1956.

Many reportedly are convinced that the NAACP is still functioning in Alabama through certain well known individuals.

Drafters of the bill say that it would apply to them or to any other person, white or Negro, active in stirring up trouble.

The right to inquire into the backing of agitators, it is said, stems from the police powers of the state.

The measure is said to be drafted with an idea of complying with all constitutional provisions.

FAVORABLE REPORT

Loans Bill Given Boost

By BOB INGRAM

A tough new small loan law aimed at ridding the state once and for all of loan sharks took another big stride down the rocky road toward final enactment Friday when the powerful Revision of Laws interim committee voted to recommend that it be passed by the Legislature.

But while proponents of the new loan law won a major battle it was plainly evident they were a long way from winning the war.

The vote by which the bill won a favorable report—14-4—looked convincing on the surface. But making it less convincing was the fact that seven committee members saw fit not to vote either way while one of the favorable votes came from a member who had spent a good part of the day trying to kill the measure.

'FURTHER STUDY'

And the bill was approved after it came very close to being delayed. Rep. W. L. (Doc) Martin of Greene offered a motion to carry the bill over for "further study," which in legislative jargon usually means to kill the measure. Martin's motion was defeated by a slim 13-10 vote.

It was Sen. L. K. Andrews of Bullock who sought to amend the bill in such a manner as to make it unacceptable to all groups. He moved that the service charge allowed by the bill be stricken.

Rep. Bob Gilchrist of Morgan, chairman of the subcommittee which drafted the bill, quickly accused Andrews of seeking to kill the bill. Andrews denied this, and after his motion was defeated 20-4, he then voted for the subcommittee proposal.

STANDS FIRM

Gilchrist, backed up by the four other subcommittee members—Sen. A. C. Shelton of Calhoun, and Reps. Buford Copeland of Etowah, Roland Bounds of Clarke and Kenneth Bishop of Colbert—stood firm on their recommendations throughout a two-hour discussion of the bill.

Gilchrist insisted the measure was "fair and equitable" and that it would allow a reasonable profit for small loan companies while at the same time give protection to the borrowers.

"Our efforts from the start was to draft a bill which first and foremost would protect the borrowers and at the same time allow the lender a reasonable return on his money," Gilchrist said. "If any criticism of this bill is valid, it is that the rates are too high."

"Yet we felt we had to make some provisions for the lenders in the small towns who predominantly make the small loans of less than $100," he said. "I am convinced the lenders in the big cities could operate profitably without the service charge, but the small town lenders could not."

It was then that Andrews offered his motion, which drew sharp opposition from Gilchrist and Sen. Shelton.

They both accused Andrews of seeking to kill the bill, which he in turn emphatically denied.

Committee action after the vote on the loan bill was anti-climatic.

Also approved were a series of technical measures aimed at correcting existing inequities in laws relating to the Department of Pensions and Security.

Rep. Virgis Ashworth of Bibb, committee chairman, announced that the group would meet again next Friday at 9 a.m. to hear final reports on all five subcommittees.

Here's How Committee Balloted On Measure

Here's how the Revision of

Laws interim committee voted on the proposed new small loan law:

For (14) — Rep. Virgis Ashworth of Bibb, Sen. W. C. Hines of Chambers, Rep. George (Bubba) Bailey of Montgomery, Rep. Kenneth Bishop of Colbert, Rep. Roland Bounds of Clarke, Rep. Buford Copeland of Etowah, Rep. Homer Cornett of Russell, Rep. Bob Gilchrist of Morgan, Rep. E. A. (Bud) Grouby of Autauga, Rep. E. K. Hanby of Etowah, Rep. Gregory Oakley of Wilcox, Sen. A. C. Shelton of Calhoun, Sen. Bert Haltom of Lauderdale and Sen. L. K. Andrews of Bullock.

Against (4) — Rep. McDowell Lee of Barbour, Rep. W. L. Martin of Greene, Rep. John Murphy of Mobile and Sen. Kyser Leonard of Talladega.

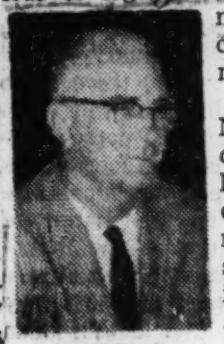
Present but not voting (7) — Rep. Tom Bevill of Walker, Rep. Jack Hankins of Lamar, Rep. John Hawkins of Jefferson, Rep. Hugh Merrill of Calhoun, Rep. Pete Ray of Winston, Rep. Henry Steagall of Dale and Sen. Dennis Porter of Washington.

Absent—Rep. M. B. McLendon of Bullock.

CHECK MEMBERSHIP ROLLS

Bill Would Open Files For Race Policy Check

A Black Belt legislator disclosed Tuesday he had drafted a bill which, if enacted, would give the state authority to examine the membership rolls and other records of organizations which promote or encourage race mixing.



NETTLES

Rep. Sam Nettles of Wilcox, veteran lawmaker and outspoken segregationist, said he would introduce such a bill in May.

Specifically it would give the state the right to do what Gov. John Patterson tried vainly to do while serving as attorney general.

Patterson went into court seeking to enjoin the National Assn. for the Advancement of Colored People from doing business in Alabama, and he petitioned the court to require the NAACP to make available their membership lists and other records.

The NAACP refused and was fined $100,000 for contempt of court by Circuit Judge Walter B. Jones of Montgomery. The fine has since been upheld by the Alabama Supreme Court but overruled by the U. S. Supreme Court.

The courts have not yet ruled on the question concerning the production of records.

Nettles' bill reportedly was considered by the Segregation Screening Committee which met behind closed doors Tuesday.

This same committee also took up a bill authored by Sen. L. K. Andrews of Union Springs which would require examinations taken by voter applicants to be graded by an electronic machine.

Andrews has contended this would relieve county boards of registrars from being charged with discrimination in the grading of the exams.

Meanwhile, a legislative subcommittee of the Revision of Laws Committee discussed in an informal session a proposed measure which would require banks to pay interest on state funds which they have on deposit.

Howard Morris, representing the Alabama Bankers' Assn., said his group could not object to the "wise investment" of state funds but said they would oppose any measure which would require them to pay interest on demand deposits.

At the present time all the funds the state has in various banks is on demand deposit—that is, it is available to the state on demand.

No action was taken on the proposal as Rep. George (Bubba) Bailey of Montgomery, co-sponsor of the measure, said the final details of the bill had not been worked out.

School Mixing Sidestep Bill OK'd By Committee

MONTGOMERY, April 15 (UPI)—A bill to give local school boards the right to secede from the State Public School System to sidestep integration was approved by the Interim Subcommittee on Segregation today. It will be passed on the Interim Revision of Laws Committee Friday.

The measure would allow any county, with the approval of the voters and the county governing body, to "get out of the school business entirely," Senator L. K. (Snag) Andrews of Bullock County, the subcommittee chairman said.

Andrews, a Black Belt senator and an avowed segregationist, said the city or county would have to have the consent of the voters at a special election before they could abandon their schools.

The bill also provides that public school funds could be divided among parents of school children as tutition grants similar to Federal subsidies under the GI Bill of Rights, if the voters decided to discontinue operating public schools rather than face integration.

The money could be used to pay tuition to a private school.

The bill is similar to one proposedb y Sen. Larry Dumas of Jefferson County which was approved recently by the same subcommittee.

Andrews said the new bill is supplementary to the Dumas plan and would not affect its operation.

Dumas proposed to set up school districts within each county. These districts could withdraw from the state school system and set up private schools.

Both measures are an attempt to sidestep a Virginia Federal Court ruling which held that if one school operated by the state is closed then all must be closed.

The subcommittee also agreed to recommend to the Revision of Laws Committee several other bills designed to strengthen the state's segregation barriers.

The bills would:

Instruct the state school superintendent to deed all property back to cities and counties which has in the past been conveyed by the cities and counties to the state.

Give the state the right to examine membership rolls and other records of organizations promoting or encouraging integration.

Set up a registration plan that would require voter applicants to pass a qualification test which would be graded impartially by electronic machines.

Would Stall Money Bill

MONTGOMERY, May 6 (AP)—Angry administration critics in the Legislature were trying to drum up support today for a tactical maneuver which would give them the whip hand over Gov. John Patterson.

They proposed to delay action until late in the session on the $36 million general appropriation bill which carries funds for non-school functions of the State Government. Appropriations for education are handled in a separate bill.

Patterson made a point in his message at the opening of the session Tuesday to ask for quick passage of the general appropriation measure. He wants that out of the way early to clear the decks for his $42 million school tax program.

Legislative activity came almost to a momentary standstill today with the House and Senate in recess until Friday. Today and Thursday were set aside for committee work, but only one committee met today.

The House Judiciary Committee, in session only an hour, approved legislation aimed at forcing Negro organizations to make their records public.

Recommended by the governor in his opening message, the measure would give the attorney general power to inspect the files of all associations doing business in Alabama.

And while it mentions no group by name or race, the bill is directed at the National Association for the Advancement of Colored People and similar organizations which advocate integration.

Patterson tried to get access to membership lists and other records of the NAACP while he was attorney general, but the U. S. Supreme Court ruled they are private documents. Alabama had no law at that time requiring any group to submit to an examination of its records.

Racial problems also figured in another measure considered by the Judiciary Committee, and prevented the legislators from acting on it.

The bill would give law enforcement officers the right to cross into other states in "fresh pursuit" of wanted persons. Committee members said the definition of "fresh pursuit" might open the way for Federal civil rights agents to make arrests in Alabama.

So they sent the measure to a subcommittee with no instructions to report it back quickly.

Also sent to subcommittee for further study was a bill to allow Alabama to subpena witnesses from other states to testify in criminal proceedings. Some committee members wanted to make it clear that defense attorneys as well as the state could bring witnesses to Alabama. The bill in its present form doesn't spell it out.

The suggestion to delay passage of the general appropriation bill grew out of the Black Belt's defiant show of strength Tuesday in protest against the governor's school tax program and his insistence on legislative reapportionment.

Black Belters in both the Senate and House forced their colleagues to listen to bills read at length as a demonstration of the filibustering tactics they can use.

If they can keep the administration waiting on appropriations to run the governor's office and those of his cabinet members, it will strengthen their hand.

The School Closing Bill: Patterson Wins Again

ON THE HEELS of his notable victory in forcing through a small loan law, Gov. Patterson has had another piece of good fortune—the defeat of his unwise school closing bill. Many legislators doubted the wisdom of a law which would probably have clobbered the School Placement Act and other legislation passed since the 1954 Supreme Court decision.

The federal view of placement laws and similar legislation was crystalized two years ago when the Supreme Court affirmed a federal ruling which knocked out Virginia's Placement Law. Similar to Alabama's, it failed the constitutional test largely because of (quoting the language of the ruling affirmed by the Supreme Court) "the fixed and definite policy" of the state to maintain segregation.

This policy was inferred from companion bills passed by the Virginia legislature which automatically cut off all funds to schools ordered integrated. In other words, other legislation rendered the Virginia assignment law unworkable.

Alabama wisely avoided such laws, leaving the Placement Law at least theoretically permissive of limited integration. When a three-judge U.S. district court in Birmingham examined Alabama's principal barrier against race-mixing injunctions, it found the law constitutional "on its face" and not deactivated by companion bills, as in Virginia.

True, state law permits local school closing decisions, but the district court seriously considered only one legislative act as being possibly comparable to Virginia's fund cut-off law. That was the "nullification" resolution passed by the legislature, declaring the school decisions null & void. The district court said of this, in answer to Negro petitioners in Birmingham who argued that this 1956 resolution demonstrated a fixed and definite policy to resist integration:

> It [nullification] amounted to no more than a protest, an escape valve through which the legislators blew off steam to relieve their tensions. Though defiant in spirit, the intent expressed by that resolution was confined to measures "constitutionally available to us."
>
> That resolution came before the adoption of the amendment which eliminated from the state constitution the requirement for segregated public schools. It cannot prevail over that amendment and over the subsequently amended and rewritten School Placement Law.

★

THUS the court found nothing in Alabama's legislation to enable it to declare the state had assumed the fatal "fixed and definite" posture. Of course, the overwhelming sentiment of the state is to maintain segregation and this is the purpose behind the laws which have been passed. But the authors of our bills had done their work well, leaving no targets for the federal courts.

We had abolished constitutional provisions requiring segregation, and the Placement Law set up "the legal machinery for an orderly administration of the public schools in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color," the district court held.

The Supreme Court agreed.

But then Patterson asked, in keeping with campaign promises, for a law giving him the unchallengable authority to close the schools. His bill did not of course mention race, but it was a sitting duck, had it been enacted, for a shotgun ruling knocking out all the laws, including the Placement Law. It would be relatively simple for integrationists to point to the law and say, there! Their disappointment at Senator A. C. Shelton's "pocket veto" of the proposal must have been acute.

★

GOV. PATTERSON may have had some sober second thoughts about the bill. Certainly he demonstrated strength enough, in getting his loan bill, to have rammed through a "pro-segregation" bill had he chosen to fight for it from the beginning, as he had the loan bill. Although many legislators had serious misgivings about the measures, some were loathe to go on record in what voters might construe as a vote against segregation.

But, whatever the case, the bills died in Shelton's pocket and probably the governor is relieved. He can always say, in some future school crisis, that he asked for closing powers but was turned down. In that sense he is a double winner: he was saved from his own folly and, at the same time, handed a possible future issue.

But the Placement Law has been saved.

WOULD EMPOWER GOVERNOR

School Closing Bill Okayed By Senate Education Group

Two bills to allow Gov. John Patterson to close any public school, including colleges, were approved by the Senate Education Committee Wednesday with little discussion.

The two measures, from the Segregaton Screening Committee, leave it up to the "sole judgment" of the governor as to when a school should be closed with this exception.

The bills say he should close the schools if violence or public disorder . . . danger to life or property or the preservation of the peace and good order of the state require it.

His decision cannot be appealed to a court or otherwise.

The governor's power to reopen the schools was removed and this power was given to the local school board or board of trustees of the school.

Sen. L. K. (Snag) Andrews, a chief sponsor, said the government might be subject to injunction on this point.

Details of the bills was not much discussed before the committee voted. Several members appeared not to know the exact provisions on the reopening provision after it was reported.

The education committee also approved a bill creating a Teacher Tenure Commission.

The seven-member group would hear appeals from teachers who were dismissed. It would prevent court suits, sponsors said.

Dr. C. P. Nelson, executive secretary of the Alabama Education Association, said his group supports the measure and State Supt. Frank Stewart indicated he agrees.

Teachers, laymen, school superintendents and principals and members of city and county school boards would be represented on the commission.

They would be variously appointed by the governor, Supt. Stewart, the president of the Alabama Education Assn., president of the Alabama Congress of P-TA.

Sen. Roland Cooper of Wilcox and Sen. W. C. (Bill) Hines of Chambers sponsored the measure.

ing court order to admit Negroes to white schools.

Gov. John Patterson, who advocated a law giving the governor the same power, said the present statute doesn't go far enough.

With the school closing measures approved, Sen. Carl Golson of Lowndes County tried to call up his bill to repeal the compulsory attendance law. But the committee recessed until next week without acting on it.

State School Closing Bill Faces Tests

The state Senate will put the small loan dispute momentarily aside Tuesday and turn its attention to a new hassle boiling up over a proposed school closing law.

Gov. John Patterson wants the power to shut the doors of any school threatened with integration. At least two members of the Senate has promised to fight the pending bill when it comes up.

And unless the regular order of business is set aside to clear up non-controversial local measures, the school closing bill is first up when the Senate reconvenes Tuesday after the weekend recess.

NEW LOAN BILL

Across the hall meanwhile, the House faces the choice of accepting the substitute small loan measure which the Senate passed in place of the Gilchrist bill, or sending it to a conference committee.

Administration leaders, who fought in vain against the substitute rammed through by a Senate majority bloc, will ask the House to reject the changes.

A conference committee will give the governor another chance to rewrite the loan bill to his liking. And if he fails there, he can change it any way he sees fit by executive amendment once the Legislature finally passes the measure and sends it to his desk.

AUTOMATIC VETO

If Patterson did rewrite the bill, the Legislature would have to take it his way or gamble on overriding a veto, because an executive amendment automatically becomes a veto if the House and Senate refuse to accept it.

The governor is anxious, too, for the Legislature to pass the school closing measure which would give him the right to step in to prevent integration.

But Sens. A. C. Shelton of Calhoun County and Bert Haltom of Lauderdale have denounced the bill as a dangerous step which might give the federal courts a weapon to keep the schools open.

They promised to fight the measure; Shelton said he would filibuster if necessary to kill it.

Opponents argue that as long as the governor has the power to close any school—even though the bill makes no mention of segregation—the courts may interpret that as meaning the state operates all the schools.

And if one tries to close its doors to prevent integration, they say, every other school in Alabama may have to close, too, or they all must remain open.

A three-judge federal panel in Virginia ruled recently that all schools under the jurisdiction of the same operating authority must remain open or closed.

By Hugh Morrow III—

Solid Front Urged Against Integration

MONTGOMERY, Oct. 6 (AP) — Former State Sen. Hugh Morrow of Birmingham today urged a joint session of the Alabama Legislature to "present a solid and unbroken front" against integration.

Morrow, grandfather of Rep. Hugh Morrow III, was introduced by Gov. John Patterson, who called him "a truly great man."

The 86-year-old lawyer-industrialist, two-term senator and former vice president of Sloss-Sheffield Steel and Iron Co., in a speech splashed with wry humor, told the lawmakers the U. S. Supreme Court "stepped out of bounds" in its desegregation decision and "embraced a new-found face and fresh-found hope called 'socilogical psychology'."

He said "this new doctrine has put the lunatics in charge of the asylum."

Morrow charged the decision was Communist-inspired and intended to "destroy the constitutional guarantees of the natural rights of men."

He quoted Booker T. Washington as saying "the division of the races is an advantage to us as a people, as it permits us to become the teachers of our own people," and "in all things that are purely social we can be as separate as the fingers, yet, as the hand in all things essential to mutual progress."

"The Supreme Court spoke one voice," said Morrow. "The voice was that of the Apostle Warren, with a presidential bee buzzing in his bonnet, but the hand was that of the National Association for the Advancement of Colored People.

"Make no mistake about it," he cried, "if racial integration is forced upon the South—if Southern officials stand by and let it be forced upon us—there is going to be trouble.

"Follow the heroic example set by your heroic fathers and grandfathers in the tragic era of reconstruction days who sooner than yield were willing to accept total doom, and, like them, present a solid and unbroken front."

'LUNATICS IN CHARGE'—Hugh Morrow.

Senate Unit OKs 'Shut Schools' Bills

Harold B. Hanson, Ala.
Thurs. 10-1-59
p. 6.

MONTGOMERY, Oct. 7 (UPI) — The Senate Education Committee today unanimously approved two bills granting the governor unlimited power to close any state-supported school faced with integration.

The bills, drafted by the Segregation Screening Committee and introduced by Sen. L. K. (Snag) Andrews of Union Springs, require the chief executive to close "any school where continued operation is likely to result in or cause violence or disorder and where it is necessary to preserve good order."

Both measures, one for elementary and high schools and the other for colleges and universities, are aimed at preventing integration. They make the governor sole judge on whether violence is likely to occur and in effect permit him to close any school faced with integration.

Only a proclamation would be necessary to shut all the schools in the state.

The measures adopted by the committee were substitutes to the original bills which included a clause concerning reopening of a closed school.

Andrews said the reopening clause was left out "to prevent anyone getting an injunction to force reopening of schools as they did in Virginia."

Andrews said the substitutes make no provision about reopening schools and leaves that entirely up to the governor's discretion.

Gov. John Patterson has long campaigned for such legislation. He said he would discard the entire public school system to prevent a mingling of the races.

The bills were expected to be quickly passed by the Senate next Tuesday and by the House the following week.

At least one Negro organization in the state has promised to try school integration soon. The Montgomery Improvement Assn., chairmaned by the Rev. Martin Luther King Jr., recently wrote a letter to the Montgomery School Board asking for "a plan of integration" to be announced.

King said if no action was taken by school officials, then his group would go to court.

GOOD FAITH QUESTIONED

Pupil Placement Case Is Appealed

Fla. Times-Union
Jacksonville, Fla.
10-7-59
p. 28

MONTGOMERY, Ala., Oct. 6 (UPI)—An attorney for the National Assn. for the Advancement of Colored People told the Fifth U.S. Circuit Court of Appeals here today that Florida's pupil assignment law was not being used in good faith in Miami schools.

Robert Carter of New York appeared before the court on appeal from a Miami district court ruling upholding the Florida law.

Carter's client, a Negro student in Miami, had been refused admission to an all-white school, but the lower court said the youth did not exhaust all the administrative remedies provided in the assignment law.

The Florida law, similar to the Alabama school placement law, provides criteria other than race in assigning an individual pupil to a school.

Seeks Board Action

The NAACP attorney said the Dade County school board must show it will do something about desegregation before the assignment law can be relied upon. Carter said the law was not "a substitute for the obligation of the board to take affirmative steps toward desegregation."

Miami attorney Edward Boardman, representing the Dade County board, said the NAACP ignored Florida's assignment law and "at the same time seeks redress in this court to unrelated complaints. We have tried to meet a legal issue head on. We have demonstrated that we will continue to apply the pupil assignment law without regard to race."

Boardman said he was unable to understand how the requested relief could be sought until the Negro student complies with existing laws. "It would appear we are obligated to integrate in the fashion wished by the appellant," Boardman said.

34b 1959

ALABAMA- SCHOOL CLOSING LAW (PASSED)

School Closing Law Is Passed

Gets By Alabama's House —Would Give Governor Power To Act

By United Press International

MONTGOMERY, Ala., Nov. 4. —The House passed 44-39 Wednesday a measure giving the Governor power to close any public schol threatened with integration.

The close vote came after a bitter debate which sorely tested Gov. John Patterson's strength in the lower chamber. Governor Patterson had demanded the power in his inauguration speech last January and again in his state of the state message to the opening session of the Legislature last May.

It was doubtful, however, that the House-passed measure would ever clear the Senate, which is bogged down in a filibuster over small loans.

Representative Virgis Ashworth of Bibb County, speaker pro tem, led the fight for the bill. He claimed it would not affect other segregation measures passed by the Legislature or open a new route for the United States Supreme Court to tear down Alabama's segregation curtain.

Reason For Law

Ashworth said one of the primary reasons for the law "is to relieve local school boards and officials of their responsibilities and burdens." He said it was "becoming increasingly difficult for the state to find individuals who will serve as registrars and members of boards of education when they are threatened with suits, harrassment from master minds in Washington."

Representative Sim Thomas of Barbour County, a member of the standing committee to screen all segregation measures, said "leading constitutional authorities said the law is not needed."

Representative Walter Perry of Jefferson County argued that the proposal "would tear down Alabama's carefully planned network of laws decentralizing control over our schools. This bill is taking us into an uncharted wilderness and I am sorely afraid that if it passes it will eventually contribute to the integration of our schools."

Representative Albert Brewer of Morgan County said the bill was similar to a law passed by the Virginia General Assembly which led to a Federal Court order closing all Virginia schools. "I don't believe this law will even stand the test of the Alabama Supreme Court," Brewer said. Let's not ruin what we already have such as the Pupil Placement Law and the Dumas Independent School District Law."

The House passed 53-26 a companion bill which would give the Governor power to close state teacher colleges which might be faced with integration and-or other violence.

The bills make the Governor the sole judge of whether violence is likely and in effect allow him to close any school threatened with integration. Only a proclamation is needed to close all the schools in the state.

Approved By Committee

The measures were unanimously approved by the Senate Education Committee in October.

The measures before the lower chamber are substitutes to the original bills which include a clause concerning reopening of a closed school.

Senator L. K. Andrews said the reopening clause was left out of the substitute "to prevent anyone from getting an injunction to force reopening as they did in Virginia."

Andrews said the substitutes make no provision for reopening and leaves that entirely up to the Chief Executive.

Gov. John Patterson has long campaigned for such legislation. He said he would discard the entire education system to prevent a mingling of the races.

11 MEASURES DIE

Private Schools Bill Killed By Pocket Veto

In a development which had been expected, a controversial bill which would have allowed state funds to be granted to students to attend private schools died Sunday midnight by pocket veto.

The measure died when Gov. John Patterson refused to sign it before the deadline. He had indicated earlier he would not approve the bill which had cleared the legislature under the sponsorship of Rep. Sam Nettles of Wilcox.

This was but one of 11 bills which met the same fate—six measures of statewide application, five applying to individual counties.

A bill sponsored by Lowndes Rep. Jack Brooks which would have required the use of convict labor and Highway Department equipment in clearing public cemeteries was one of the victims of Patterson's pocket veto power.

A bill which would have given truckers a refund on the tax paid on fuel not used in Alabama also was killed.

Others killed by pocket veto were:

H-252 — To authorize Department of Agriculture and Industries to provide certain insurance coverage for its employes.

H-465 — Relating to the expenditure of certain funds in the Seafood Division of the Conservation Department.

H-383 — A bill amending state laws relating to fraudulent claims for Workmen's Compensation benefits. This was one of a series of similar bills, all the others having failed to win legislative approval. Patterson killed this measure at the request of Industrial Relations Director Ralph Williams.

STRIPPING STATE

H-999 — Local bill applying to Jefferson County which would have had effect of stripping state of its authority in assessing property for tax purposes.

H-917 — Local bill providing funds for operation of Mobile library. It was killed because an identical measure had already been signed into law.

H-735 — A bill setting up a motor vehicle license division in Morgan County. The measure called for state to make the tax collections but provided no funds for the state for this service.

H-1118 — A bill providing that one-half of money collected in fines from Rules of the Road violations in Mobile County go to the county. All such money now goes to the state.

H-1016 — This measure amended the merit system status of Highway Department employes in DeKalb County, where state has control of road system.

Private School Pupil Aid Killed

MONTGOMERY, Ala. (UPI) —Gov. oJhn Patterson vetoed a private school measuer which would have permitted state funds to be given pupils attending private schools although public schools were not closed because of racial friction in the neighborhood .

The bill had been considered "vital" by members of the interim segregation committee which drafted it before the start of the regular session of the legislature.

The proposal died on Patterson's desk after the chief executive refused to sign it within the 10-day limit following the sine die close of the legislature. All bills not signed within 10 days are automatically vetoed under the state constitution.

Pocket Veto Pressure Noted On Private School Fund Bill

Gov. John Patterson reportedly is under strong pressure to kill by pocket veto a bill which would permit the use of state funds in financing private segregated schools.

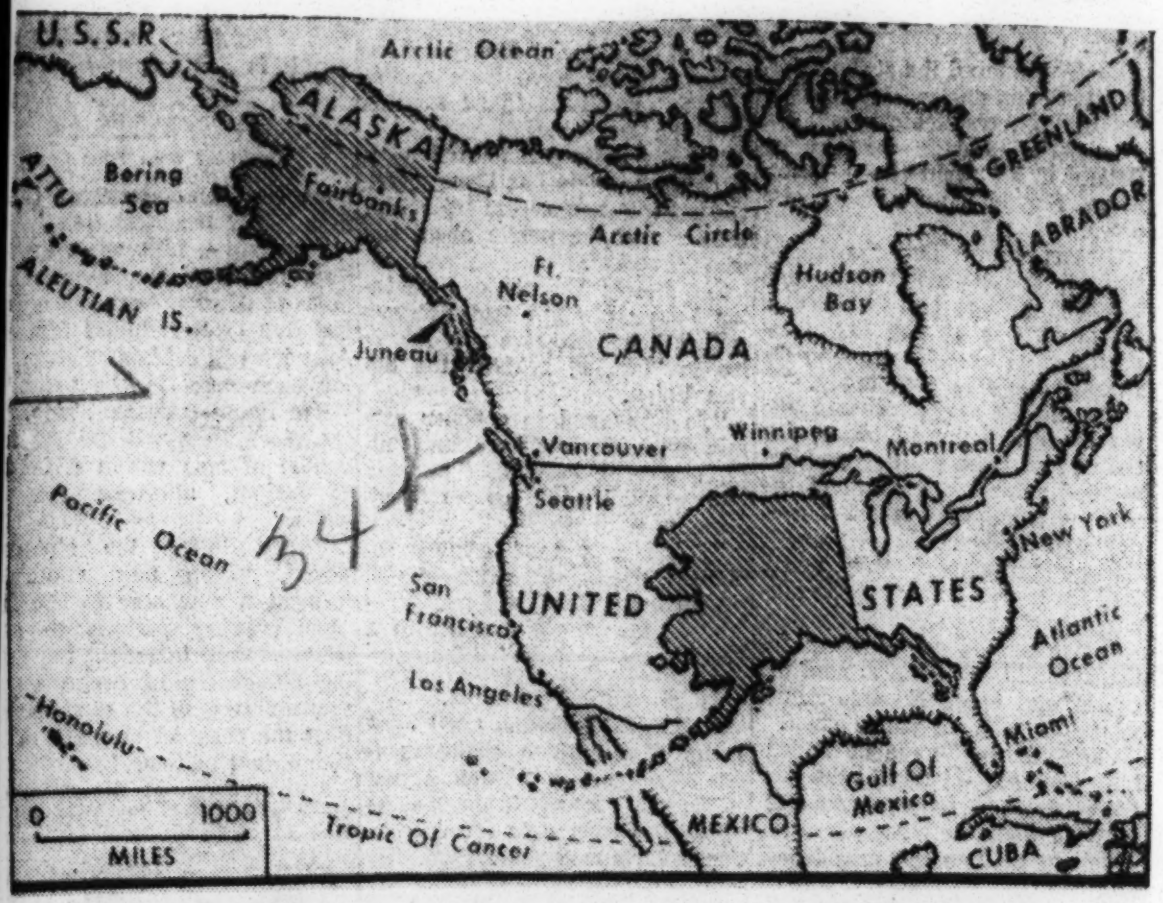
Sources at the Capitol indicate the measure has drawn opposition from some educational leaders who contend the measure would be difficult to administer and would seriously undermine the entire public school system.

The measure, sponsored by Rep. Sam Nettles of Wilcox, would permit scholarship grants to students attending private non-denominational schools even if public schools in the area remain open.

Gov. Patterson has until Sunday midnight to sign the measure. If he fails to do so it will die by pocket veto.

The bill drew some opposition in the Legislature. Several lawmakers argued that it would permit parents for some petty reason to withdraw their child from a public school and then demand that the state pay for the child's tuition in a private school. They contended the race question might not even be involved at all.

Nettles argued that the federal courts might look with more favor on such a law since it was enacted before any racial problems arose. He also argued it was needed to assure operation of private schools under a pilot plan.



MAP SHOWS WHY ALASKA IS BIGGEST AS WELL AS YOUNGEST STATE.

MAP SHOWS WHY ALASKA IS BIGGEST AS WELL AS YOUNGEST STATE.

Alaska Is Proclaimed 49th State In Union

WASHINGTON (AP) — Alaska became the 49th state of the union Saturday by proclamation of President Eisenhower.

The President signed the historic document and unveiled the new 49-star flag at a five-minute White House ceremony beginning at noon.

The time coincided with the expiration of the 85th Congress which approved Alaskan statehood after a 42-year struggle by the vast territory.

Welcoming the new state and its people, Eisenhower extended "best wishes and hope for prosperity and success."

By a stroke of the pen, the chief executive extended the boundaries of the United States 1,500 miles to the west, to within sering distance of the Soviet mainland. Czarist Russia sold the territory of Alaska to this country for $7,200,000 in 1867.

History has proved that contemporaries of the then secretary of state were wrong in terming the purchase "Seward's Folly."

The new state is more than twice the size of Texas and has a vast store of untapped mineral, timber, and other natural resources.

Eisenhower, who flew down from his Gettysburg, Pa., farm for the ceremony, signed the formal proclamation whose key sentence read:

"Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby declare and proclaim that the procedural requirements imposed by the Congress on the State of Alaska to entitle that state to admission into the union have been complied with in all respects and that admission of the state of Alaska into the union on an equal footing with the other states of the union is now accomplished."

Federal and Alaskan officials crowded into the Cabinet room to watch the brief ceremony.

To the new Alaskan officials, Eisenhower extended congratulations, felicitations, "and my hope that we will all work together to the benefit of all 49 states."

"Certainly, I pledge to you my cooperation in that effort," he said.

In addition to the proclamation, Eisenhower signed an executive order setting forth the design of the new flag. This was approved by the President Friday after a special selection committee had winnowed through nearly 2,000 suggestions from individuals and organizations.

Eisenhower then unfurled the first of the new standards, made secretly for the ceremony by the Army Quartermaster Corps.

It has seven staggered rows of seven stars each, in place of the present six flush rows of eight stars each. It becomes official on the country's next birthday, July 4.

Speaker of the House Sam Rayment.

"Our apprenticeship now is done. We have full membership in that great union of states.

"This is a great occasion for Alaska."

Epochal Day Is Observed By Alaskans

JUNEAU, Alaska (AP) — Alaskans observed with quiet dignity Saturday their new state's admission to the union.

"We accept the proud chellenge of statehood," said newly inaugurated Gov. William A. Egan, "and will seek to enhance the radiance of America's 49th star."

No spontaneous celebrations followed word that President Eisenhower had signed at the White House the proclamation admitting Alaska as the 49th state.

Alaskans had done their riotous and joyous noisemaking last June when the Senate voted to approve admission of the big northland. That was the action that set in motion the procedures of admission that were completed by the President's proclamation Saturday.

A few minutes after the White House ceremony, which came at 9:03 a.m. in this capital city of the new state, Egan was sworn in as the first elected governor.

He took the oath of office from U.S. Dist. Judge Raymond J. Kelly, in a ceremony at the governor's office attended only by family members, a few friends and newsmen.

Two minutes after Egan was sworn in, Judge Kelly administered the oath of office to Hugh J. Wade, who became Alaska's first elected secretary of state. Egan and Wade both are Democrats.

Two hours later, as bright sunshine bathed Juneau's crisp 6-degree weather, Egan took the stage at a downtown theater and spoke briefly on the solemn meaning of statehood.

Egan, born 44 years ago in the little Alaska town of Valdez where he later operated a general store, said: "On this day a great gift has been granted us—self-govern-

With 49 Stars

New Flag Is Unfurled

WASHINGTON (AP)—The new U.S. flag, chosen with an eye to the addition of a 50th state, has 49 stars arranged in seven rows of seven, with even rows indented.

President Eisenhower unfurled the new design Saturday at a White House Cabinet room ceremony proclaiming Alaska the 49th state.

By law, the familiar 13 red and white stripes, depicting the 13 original states, remain unchanged, but a new star must be added for each new state.

The old flag, with its six rows of eight white stars each on a blue field, makes way for the new version which comes into official use next July 4.

The White House announced that display of the new flag before July 4th—the anniversary of U.S. independence—"would be improper." It added that the present 48-star flags can be flown beyond the July 4 date as long as they are still in good condition.

The President approved the new flag design at his Gettysburg, Pa., home Friday on the advice of a four-man committee including the secretaries of state, defense, treasury, and the chairman of the Fine Arts Commission.

Eisenhower flew here by helicopter to make the new flag official, signing the executive order with six pens. A new flag, made by the Army Quartermaster Corps and standing tightly furled in a standard, was then stretched its full length by the President for the first public display.

Eisenhower noted that he is the first president to get an opportunity to add a state and a star since 1912. The flag was changed then to add stars for the states of New Mexico and Arizona.

The flag displayed Saturday—the country's 268th might have been different if it weren't for an unidentified flag manufacturer.

White House Press Secretary James C. Hagerty said the President had told Robert Atwood, chairman of the Alaskan Statehood Commission, that there was another new flag design that would have made it even easier to add a 50th star. But Hagerty said it was not selected because a flag manufacturer had been advertising just that design for two or three months.

Alaska Becomes 49th State; New Flag Unfurled By 'Ike'

By GARDNER L. BRIDGE
Associated Press Staff

WASHINGTON, Jan. 3.—Alaska became the 49th state of the Union Saturday by proclamation of President Eisenhower. The President signed the historic document and unveiled the new 49-star flag at a five-minute White House ceremony beginning at noon.

Welcoming the new state and its people, Mr. Eisenhower extended "best wishes and hope for prosperity and success."

By a stroke of the pen, the boundaries of the United States 1,500 miles to the west, to within seeing distance of the Russian mainland, Czarist Russia sold the territory of Alaska to this country for $7,200,000 in 1867.

Mr. Eisenhower flew down from his Gettysburg, Penn., farm for the ceremony.

Extends Congratulations

To the new Alaskan officials, Mr. Eisenhower extended congratulations "and my hope that we will all work together to the benefit of all 49 states."

Mr. Eisenhower then unfurled the first of the new standards, made for the ceremony by the Army Quartermaster Corps.

Speaker of the House Sam Rayburn (D., Texas) commented that it was a "very beautiful flag."

There had been considerable secrecy by the White House on the new flag just to keep flag manufacturers from getting advance word, White House Press Secretary James Hagerty said.

David Finley, chairman of the Fine Arts Commission, said he couldn't say just what had been the deciding factor to give the seven-and-seven design the nod over more than 1,900 suggestions. He pointed out, though, that the system of staggered rows was not new in the history of United States flags since the first was adopted by the Continental Congress in 1777.

New Flag Not Official Until July 4

WASHINGTON, Jan. 3. — (AP)—The new United States flag, chosen with an eye to the addition of a 50th state, has 49 stars in seven rows of seven, with the even rows indented.

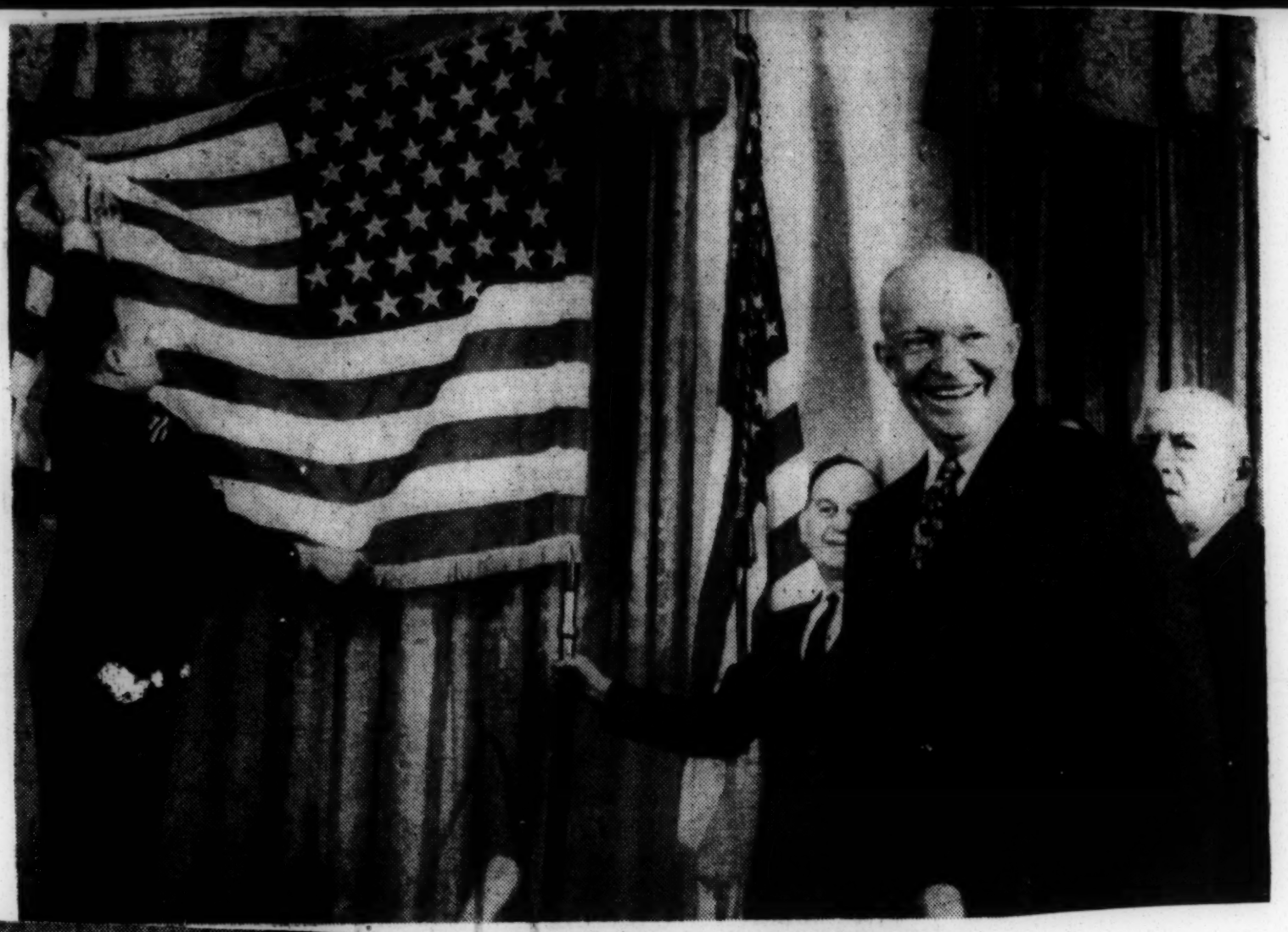
By law, the familiar 13 red and white stripes, depicting the 13 original states, remain unchanged but a new star must be added for each new state.

The old flag, with its six rows of eight white stars each on a blue field, makes way for the new version July 4.

The White House announced that display of the new flag before July 4th—the anniversary of United States independence—"would be improper." And it said the present 48-star flags can be flown beyond the July 4 date as long as they are still in good condition.

Last Change In 1912

President Eisenhower noted that he is the first President to get an opportunity to add a state and a star since 1912. The flag was changed then to add stars for the states of New Mexico and Arizona.



NATION'S NEW FLAG—President Eisenhower was jovial yesterday as he showed off the new American Flag with a field of seven rows of seven stars each. Unfurling the new flag, adopted as Alaska became the 49th state, was Lt. Col. James S. Cook Jr., chief of the Heraldic Branch, Office of the Quartermaster General. Standing behind the President at the White House ceremony were Waino Hendrickson (left), acting Governor of Alaska, and House Speaker Sam Rayburn. —UPI Telephoto

(Additional Pictures on Page 8, Sports Section)

PRESIDENT DISPLAYS NEW FLAG
. . . Adds 49th Star at Washington Ceremony

AFRO's Frisby at White House rites

WASHINGTON

"I was thrilled beyond expression, just overcome with joy at being on hand for the ceremony.

"I got one of the boxes the pens came in as a souvenir. I just got the bottom of the box, there was such a scramble for everything.

"I snapped some pictures with my camera, but I was so excited I left the camera in a cab in Washington."

These were the comments of Herbert M. Frisby, veteran explorer and AFRO Arctic correspondent, after he witnessed President Eisenhower proclaim Alaska the 49th state of the union and unfurl the new national flag.

Mr. Frisby, who was in Alaska on his sixth trip when Alaskan voters approved statehood this summer, was the only colored guest on hand in the White House Cabinet Room on Saturday for the 10-minute ceremony.

Alaska, a resources-rich region more than twice the size of Texas, becomes the first noncontiguous state and the first to be admitted to the Union since New Mexico and Arizona joined in 1912.

The new flag, to become official on July 4, birthday of the Union, will have the usual 13 red and white stripes with 49 stars arranged in seven staggered row of seven stars each instead of the six rows of eight as at present. Alternate rows are indented.

President Eisenhower signed an executive order fixing the new design immediately after proclaiming Alaska the 49th state.

The 12 pens used in signing the official papers were passed out to officials and Alaskan representatives as souvenirs.

It was one of the boxes in which the pens were contained which Mr. Frisby managed to get the bottom of for his huge collection of Alaskan and Arctic museum pieces.

Mr. Frisby said Vice President Nixon and House Speaker Sam Rayburn, Texas Democrat, flanked the President during the ceremonies held about the large table in the cabinet room. Other Federal, Alaskan and Army officials made up the special party with the President.

* * *

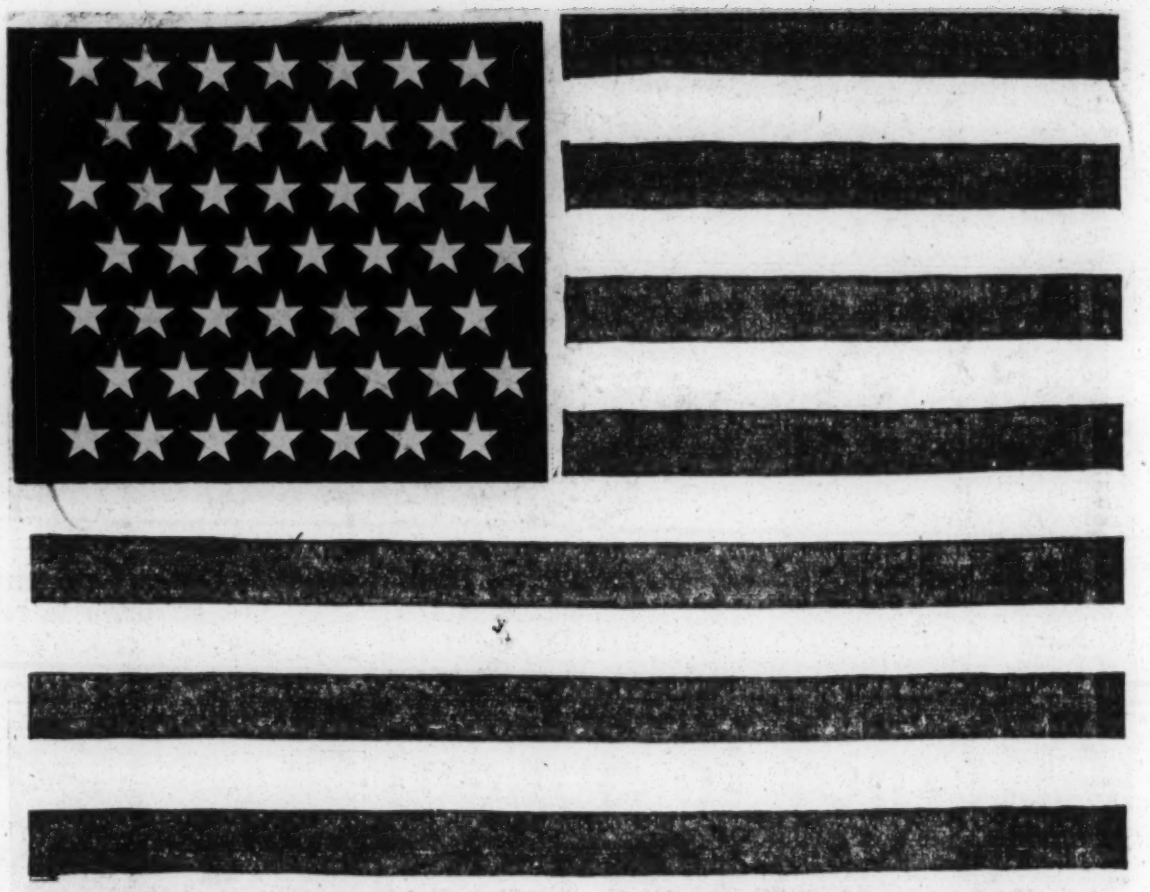
THE newest state extends the boundary of the United States 1,500 to the west, within 55 miles of the Russian mainland.

It has an estimated population of 200-215,000 of which about 2,500 are colored.

Mr. Frisby, who has been to every part of Alaska "of any importance," helped two colored candidates campaign for the Alaska legislature in the primary election last year.

The two, who lost in the primary, were Mrs. Blanche McSmith, appliance dealer of Anchorage, and Pete Aiken, mobile house-trailer dealer, of Fairbanks. Both are Republicans.

Mr. Frisby, who heads the science department at Douglass High School, resides at 3403 Bateman Ave. Because of his many Arctic and Alaska museum pieces his home is called "The Igloo."



THIS IS IT, the new American flag adopted Jan. 3, 1959 at 12:03 p.m. when President Eisenhower signed an executive order adopting the pattern with 49 stars one minute after he signed the proclamation admitting Alaska to statehood. Seven staggered rows of seven stars each replace the former 6 rows of eight stars each. The second, fourth and sixth rows are indented. The AFRO's Arctic correspondent Herbert M. Frisby was present for the brief ceremony in the White House Cabinet Room.

Alaska Purchase in 1867 Was Called Seward's Folly

JUNEAU, Alaska, Jan. 3 (AP).—It was called Seward's Folly in 1867. It's known as the 49th State today.

It's your new sister among the States—the biggest of them all. The place is Alaska.

This scenic city is the capital of the first State admitted to the union since New Mexico and Arizona entered in 1912.

It sits at the foot of Mount Roberts and Mount Juneau, two peaks just under 4,000 feet that are snow covered eight months a year.

Juneau, near the top of the southeastern Alaska Panhandle, and Dover, Del., now share honors of being among the Nation's smallest State capitals. Each has an estimated population of about 7,000.

That's about all the comparison you can make between the two cities and States a continent apart.

Delaware, with a total area of 2,057 square miles, is the second smallest State—just ahead of little Rhode Island's 1,214 square miles.

Together those two States could be lost in the vastness of Alaska's 586,400 square miles. The mighty Malaspina Glacier, one of the many that cover 18,000 square miles of the new State, is itself bigger than Rhode Island.

Alaska's huge area—spanning four time zones and extending to within sight of Soviet Siberia just across the international date line in the Bering Strait—is one of its most distinctive features.

It also inspires a good many of the jokes that have circulated since last June when Congress passed the Alaska Statehood bill.

If Alaska were divided in half, Texas would be the third largest State. This 49th State is more than 2½ times as big as Texas, before today the largest of the Union.

For Americans who have never ventured north of Seattle, Alaska's romantic name conjures visions of gold strikes, towering mountains, howling cold and remote wilderness without end beneath awesome displays of the Northern Lights.

To many, Alaska is a land of bearded sourdoughs, swinging saloon doors and panting sled dogs mushing through zero cold.

It has been a land that bred myth and legend since its discovery by Russian explorers in 1741.

Secretary of State William Henry Seward engineered its purchase from Czarist Russia 91 years ago. The United States paid Russia $7.2 million for all of Alaska.

Critics called it folly. Alaska was regarded as an ice-locked hunk of land at the top of the world. It was too remote to reach, too cold to live in, too wild to civilize.

The 210,000 residents of the new State, and the pioneers before them, have proved those estimates wrong.

This new State occupies a key position in global air systems. Regular airline flights span the North Pole, refuel at Anchorage, and carry passengers and mail from Europe to the Orient.

Militarily, Alaska has become a guardian of the North for the rest of the United States.

Among the many military installations of the new State, there is under construction a missile detection center south of Fairbanks. Its eventual cost: More than three times the purchase price of Alaska.

From Alaska has come billions of dollars worth of gold, salmon and timber. Now the Nation's major oil companies are investing millions into what

Anti-Bomb Clause Widened by Dixie

Constitution
Atlanta, Ga.
7-31-59

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON—Southerners won still another modification of civil rights legislation in the House Judiciary Committee Thursday when they broadened an anti-bombing provision to include all types of structures.

Before the committee was a proposal by the Eisenhower administration to make it a federal crime to flee across state lines to avoid prosecution for bombing a church or a school.

Southern members regarded this as being aimed solely at the South, where there have been some bombings of schools, churches and synagogues during integration disputes in recent years.

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GET GOP AID

But instead of fighting it, the Dixie lawmakers got Republican help and broadened the provision to apply to any bombings of any type of building or vehicle.

As modified, the provision now would strike at bombings in labor disputes or any other type of bombing anywhere in the nation. And the Southerners voted for it.

Rep. E. L. (Tic) Forrester of Leesburg, Ga., and the other Southern members launched an attack on other provisions of the civil rights bill, including proposals for federal aid to help schools desegregate.

PANEL ADJOURNS

With this attack they forced an adjournment of the committee until next Tuesday, thus winning further delay.

The broadening of the anti-bombing provision was definitely a Southern victory and marked the third Dixie triumph thus far in modifying the bill before the committee.

The first Southern gain was the defeat of a "Part Three" force provision to enable the attorney general to seek federal injunctions to enforce all kinds of civil rights, including the right to attend a non-segregated school.

FORRESTER SATISFIED

The Southerners scored again when the committee struck out an "fepc" provision to prohibit racial discrimination in employment on government contract jobs.

Forrester, who has been buttonholing Republicans for support of the Southern cause, expressed satisfaction Thursday at the success the Dixie forces have score thus far.

He was pleased at the broadening of the anti-bombing proposal to make it apply to private dwellings, industrial plants, stores or any other type structure or vehicle.

Constitution 2c
M. 7-31-59

"We have covered the waterfront now," the Georgia congressman said.

The anti-bombing provision of the original bill was modified by an amendment from another Southerner, Rep. Lose (D-Tenn) and Forrester supported it.

Under the Loser amendment, any person traveling in interstate commerce to avoid prosecution for wilfully destroying or attempting to destroy by fire or explosion any type of building, facility or vehicle, public or private, would be subject to federal prosecution. Conviction would bring a fine up to $5,000 and imprisonment up to five years.

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This provision, dealing with flight from prosecution, would not interfere with the rights of the states to prosecute anyone under state law for an actual bombing or arson offense.

Rep. Celler (D-NY), chairman of the Judiciary Committee and an advocate of extreme civil rights legislation, apparently has been chagrinned by Southern successes thus far.

However, Celler objected Thursday to criticism of the committee by Secretary of Labor Mitchell, who deplored the committee's action of Wednesday in eliminating the "fair employment" provision.

Without reaching any decision, or taking a vote, the committee before adjourning until next Tuesday, took up provisions dealing with school desegregation.

One would permit the Commissioner of Education to take over and operate any school built in the future with federal aid if that school is closed down to avoid integration.

Forrester argued against this, declaring it is "hypocritical." The Georgian said that there are already schools on military reservations, such as Ft. Benning, that are owned by the government and are operated on an integrated basis.

Thus, he said, there is no need for the proposed law designed to assure the children of armed services personnel an education in the event of local school closing.

The Georgian also attacked a provision that would recognize the Supreme Court's 1954 school desegregation decision as "the supreme law of the land" that obligates state and local government to desegregate their schools.

Maine Enacts Anti-Bias Law

AUGUSTA, Me. — (ANP) — Gov. Clinton A. Clauson signed into law a bill which forbids discrimination at resorts, or other places catering to the public, on the basis of color, creed, ancestry or national origin.

The law stipulates for the first offense a fine up to $100 or three days in jail; each subsequent offense, a fine up to $500, a jail sentence up to 30 days, or both.

Defined under the act as public places subject to its provisions are hotels, health or amusement resorts, restaurants, public conveyances, bath-houses, barber shops, theaters and retail stores, among others.

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ANTI-RED LAWS (COMMUNISTS)

HOUSE VOTES TO TIGHTEN UP ANTI-RED LAWS

BY WILLARD EDWARDS

[Chicago Tribune Press Service]

Washington, March 2—The first of a series of bills designed to nullify Supreme court rulings and tighten laws against Communists and subversives, swept thru the House Monday without debate and without a dissenting vote.

Sent to the Senate where a similar bill died last year, the legislation was expected to receive quick approval from the Senate judiciary committee. It was among the corrective measures recommended by the American Bar association's house of delegates in its recent Chicago meeting.

Defines Term "Organize"

The bill defines the term "organize" in the Smith act, prohibiting advocacy of the violent overthrow of the government, as referring to "recruitment of new members, forming of new units, and regrouping or expansion of existing clubs, classes and other units" in communist organizations.

The Supreme court, in 1957, had set free five of 14 Communists and ordered new trials for the remaining nine, by deciding that Congress had not intended to make such activities a crime when it wrote the term "organize" into the Smith act.

Drafted by Walter

When the bill, drafted by Rep. Francis E. Walter [D., Pa.], chairman of the House committee on un-American activities, came before the House on the "unanimous consent" calendar, it was approved as soon as its title was read. An hour of debate was permissible but there was no discussion, for or against.

Chairman Emmanuel Celler [D., N. Y.] of the House judiciary committee, who had promised to "fight like hell" against all bills aimed at Supreme court rulings, was not present. His office said he had been detained in New York.

Restores Power to States

Other bills of this nature, listed for House action in the near future, would restore to the states the power to prosecute sedition against the United States, clarify the powers of congressional committees to investigate and penalize, by contempt citations, acts of subversion, and give the government power to fire suspected subversives even if they occupy "nonsensitive" [without access to confidential information] positions.

The House also passed unanimously a bill expanding federal authority to prosecute espionage against the United States. At present, American spies operating against the United States. At present, American spies operating abroad, are immune, if caught. Under the new law, they could be prosecuted.

34b 1959

ANTI-RACKETEERING BILL

Kennedy Offers Bill to Put Squeeze on Hoffa

WASHINGTON, Jan. 20 (UPI)—Sen. John F. Kennedy (D-Mass.) opened the 1959 drive for labor reform legislation today with an anti-racketeering bill he said would virtually put Teamster head James R. Hoffa out of business.

Kennedy stole a march on the administration by unveiling a revised version of the measure he sponsored last year. The 1958 bill swept through the Senate on an 88 to 1 vote but died in the House, victim of parliamentary maneuvering by both parties.

The new measure would set up safeguards for union funds, require democratic union elections and bar convicted criminals from union office. Kennedy urged the Senate not to bog down the bill with Taft-Hartley amendments. He said a second bill would be offered to amend the Taft-Hartley Act.

Kennedy said Congress could pass no law that would eliminate Hoffa. But he said his measure would "close to Mr. Hoffa and his ilk most of the racketeering opportunities they have exploited" and "will, in short, virtually put Mr. Hoffa and his associates out of business."

The administration is expected to propose its own bill later this week, possibly Thursday. It is certain to be stiffer than the Kennedy version, calling for a crackdown on such union practices as secondary boycotts and "blackmail" picketing—issues Kennedy wants deferred.

Kennedy's action touched off what was expected to be a long and bitter fight over efforts to curb union corruption. Sen. Barry M. Goldwater (R-Ariz) served notice he would offer a stiffer bill in a few days that would have administration backing.

Kennedy Explains Bill
(AP Wirephoto)

34b 1959

ARKANSAS

Bill In Arkansas Bans 'Sitdowns'

House Approves Measure To Curb Demonstrations In Business Firms

By KENNETH JOHNSON
From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, Jan. 28—The Arkansas House approved without dissent Tuesday a bill apparently aimed at forestalling Negro demonstrations in business establishments.

Although mentioning neither race, the bill introduced by Representatives Talbot Feild of Hempstead County and John Moore of Miller County would set up heavy fines against any person refusing to leave a business establishment at request of its manager.

Failed In Call Session

A similar measure was introduced in the special session of the Legislature in August, but failed to receive any action. The House approved it Tuesday 92-0 without debate.

When introduced in the special session, sponsors said it was designed to prevent any "sit-down" strikes of Negro customers in business establishments such as those occurring in Oklahoma City last year.

Any person refusing to leave an establishment on request of the manager would be subject to arrest and a fine of $500 and 30 days in jail. Senate action awaits.

Senate OK Asked

On the Senate side, major action centered on adoption of confirmation of all appointments by the Governor to state boards and commissions.

Only a few hours earlier, the author of a similar House measure had withdrawn his bill after opposition developed from other House members as well as Gov. Orval Faubus' office.

The proposal by Senators Guy Jones of Conway and Jack Clark of Texarkana was adopted 32 to 0. Senator Jones pointed out it is intended to make appointment procedures "uniform." Some gubernatorial appointees now are subject to Senate approval, while others are not.

Withdrawing the similar House measure was Representative Tony McDonald of Greene County. Governor Faubus said later he opposed the bill because of a possible misunderstanding.

Barratry bill part of race legislation

BY FRED TAYLOR, News staff writer

MONTGOMERY, Ala., May 2—Among dozens of racial measures that will be introduced when the Legislature meets at noon Tuesday to begin its long regular session grind will be the Rutledge barratry bill.

This proposal, which will be offered by State Sen. Elwood Rutledge of Winston, is aimed at those who deliberately stir up racial suits. Co-sponsors who helped Sen. Co-sponsors who helped Sen. Rutledge draft this bill are Sen. Alton Turner of Crenshaw and Bob Kendall of Conecuh.

One special session, which lasted three weeks to authorize $60 million road bonds, was held at the outset of Gov. John Patterson's administration.

RUTLEDGE

The regular session, which normally could be expected to last until September, would be prolonged into October or November if tentative plans are carried out for a mid-Summer rececss to permit another special session for schools.

But whether a second extraordinary meeting of the lawmakers is held then will depend on progress of revenue-raising bills to be introduced in the regular session to bring in some $42 million more yearly for public education.

The three sponsors of the barratry bill served on the Senate-House interim finance committee which recommended alternate plans to produce the extra money mainly by broadening provisions of present revenue laws.

SEN. RUTLEDGE, Haleyville attorney, and co-sponsors of the barratry bill to be introduced, have made an extensive study of similar statutes in several states, including those in Georgia, South Carolina and Mississippi.

Sen. Rutledge said they patterned the Alabama proposal mainly after the Georgia law "since it was the simplest and most concise."

Barratry is defined by the legislators as:

"1—Engaging in exciting and stirring up suits between individuals, or between individuals and the state, along with its various officials, or between individuals and any legal entity.

"2—It can also consist of an act tending to breach the peace for the purpose of stirring up litigation.

"3—It further includes the seeking out and proposing to others present that they institute suits as outlined above."

Stiff punishment

SEN. RUTLEDGE pointed out that his bill provides that those found guilty of barratry under his bill could, upon conviction, be fined up to $5000, or be imprisoned for one year, or both.

It also was pointed out that any lawyer violating provisions of the bill would be subject to disbarment.

A similar proposal by State Rep. Sam Nettles Jr. of Wilcox was studied and recommended by the interim committee on revision of laws and is expected to be introduced in the House.

GOV. PATTERSON, who will address a joint session of House and Senate Tuesday, had considerable to say earlier in the week about revenue needs for education.

The governor, who has been studying alternate revenue-hiking plans recommended by the interim committee, said that if the Alabama school crisis is to be dealt with effectively "the people of the state will have to speak out." He added that he hasn't fully made up his mind which measures he will recommend to the Legislature.

"I am opposed to any tax which would discriminate against one group or profession," stressed the governor. "I feel that the cost of government should be shared equally by all."

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BARRATRY BILL
SENATOR ELWOOD RUTLEDGE

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34b 1959

Powell introduces 25 bills in 2 days

WASHINGTON

Rep. A. Clayton Powell of Harlem last week started off like a work-horse by introducing some 25 bills— four on the opening of Congress and 21 on Friday.

In addition to the proposed legislation introduced by Powell, Rep. William L. Dawson (Dem., Ill.) also introduced a civil rights measure.

The Dawson measure called for "protection and enforcement of the constitutional rights of all people."

* * *

OF THE 14 public and 7 private bills introduced by Powell on Friday, the majority were civil rights proposals— including a measure calling for restoration of Part 3 to the Civil Rights Act of 1957.

The Harlem Congressman also introduced bills to "secure, protect and strengthen the civil rights accruing to individuals under the Constitution and laws of the United States."

In another, he asked "assurance of all persons within the jurisdiction of the United States full and equal privileges with respect to public conveyances and places of public accommodations, resort, entertainment, amusement, assemblage and institutions."

* * *

SIX OTHER civil rights bills by Powell asked:

Prohibition of discrimination in employment because of race, color, religion, national origin or ancestry; aid to education, with authorized Federal assistance to states and local communities in financing and expanding program of school construction so as to eliminate the national shortage of classrooms;

Elimination of discrimination and segregation in the National Guard; provide relief against certain forms of discrimination in interstate transportation; an anti-poll tax measure;

A bill to effectuate and enforce the constitutional right to equal protection of the laws, and another to assure the protection of citizens of the United States and other persons within the several states from mob violence and lynching.

* * *

OTHER POWELL bills urged the Federal Government to refuse to extend any financial assistance to the building of housing projects which might discriminate against occupancy on account of race, religion, color, ancestry or national origin.

"Protection of the blind to self-expression through organizations of the blind;" and "prohibition of certain acts involving the importation, transportation, possession or use of explosives."

His seven private bills asked relief for Dr. Julia Ramirez Santos, Emilio Poglianich, Beatrix Alexander, Daisy Iris Lalor, Thomas and Lydia Harris, Emil Zio and George V. Parker.

On Wednesday, he introduced measures (two) dealing with railroad retirement, another calling for the implementation of the Panama treaty and one prohibiting the transportation, possession or use of explosives.

BILLS INTRODUCED BY
REP. ADAM CLAYTON POWELL

IN THE NATION'S CAPITAL

Powell-Dingell bills raise policy query

By LOUIS LAUTIER

WASHINGTON

Civil rights bills sponsored by Rep. John D. Dingell of Michigan and Adam Clayton Powell of New York, both Democrats, raise the policy question of whether the Congress should enact into law acts which the Interstate Commerce Commission has already banned.

One of Mr. Dingell's bills would extend the provisions of the federal kidnaping law to include transportation in interstate commerce of any person unlawfully abducted and held for purposes of punishment, correction or intimidation.

The ICC has suggested to the House judiciary subcommittee, which is considering civil rights legislation, that this provision be amended to relieve interstate carriers of liability unless they "knowingly" transport such persons.

MR. POWELL and Mr. Dingell also are sponsoring similar bills which provide that all travelers "shall be entitled to the full and equal enjoyment of the accommodations, advantages, and privileges of any public conveyance operated by a common carrier engaged in interstate or foreign commerce, and all the facilities furnished or connected therewith,"...without racial or religious discrimination or segregation.

Violation of this provision would be a misdemeanor. Maximum punishment for each offense would be a $1,000 fine.

One of the Powell bills would make it a felony for any person to practice racial or religious discrimination or segregation with respect to the admission of any individual to "any public conveyance by land, water or air."

The Powell bill also provides that facilities furnished or connected with the transportation of persons in interstate or foreign commerce shall include waiting rooms, restrooms, restaurants and lunch counters, and similar facilities and taxicabs and limousines, operated to serve passengers.

* * *

THE INTERSTATE Commerce Commission ruled on Nov. 7, 1955, that the operation by a lessee (noncarrier), of segregated lunch-room facilities for white and colored persons in the Broad Street station at Richmond, Va., constitutes a function or service which is not within its jurisdiction.

It dismissed the complaint of the NAACP against the Union News Co., which operated the lunchroom. But the commission ruled that segregation of interstate railroad or bus passengers by race or color is unlawful.

Cease and desist orders were issued against 12 railroads, a rail terminal company, and a bus line which were involved in two separate proceedings before the commission. The orders became effective Jan. 10, 1956.

The commission found in the rail case that practices of assigning or directing colored interstate passengers to coaches or portions of coaches designated for the exclusive use of such passengers, and of maintaining waiting rooms in their stations designated for the exclusive use of such passengers, subject colored passengers "to undue and unreasonable prejudice and disadvantage, in violation" of the Interstate Commerce Act.

* * *

THE ACT makes it unlawful for a rail carrier "to subject any particular person...to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

In its decision in the bus case, Sarah Keys v. Carolina Coach Co., also decided Nov. 7, 1955, the commission cited its findings in the rail case and concluded that assignment of seats in interstate buses, "so designated as to imply the inherent inferiority of a traveler solely because of race or color must be regarded as subjecting the traveler to unjust discrimination, and undue and unreasonable prejudice and disadvantage."

The commission entered an order prohibiting the continuance of the practice of bus companies requiring that colored interstate passengers occupy space or seats in the rear of buses.

Since then, federal courts enjoined racial segregation on city buses and trolleys.

* * *

WITH RESPECT to segregation and discrimination in interstate travel, the Powell and Dingell bills appear to accomplish nothing more than what is already the law by the decisions of the commission, except with respect to penalties.

The commission, however, may compel obedience to its orders, without monetary forfeiture, through use of an injunction to restrain any disobedience.

Moreover, the Interstate Commerce Act makes any violation of any of the rules, regulations, requirements or orders of the commission punishable by a fine of not less than $100 nor more than $500 for the first offense and not less than $200 nor more than $500 for any subsequent offense.

There are still some areas of interstate travel where racial discrimination and segregation are still covertly practiced. But the main trouble now is with desegregation of city buses and trolleys.

* * *

FOR EXAMPLE, following the issuance of a federal injunction barring bus segregation in Montgomery, Ala., and after colored people ended their bus boycott there, buses were fired upon.

In Birmingham, Ala., the home of the Rev. F. L. Shuttlesworth, an integration leader, was shattered by a bomb.

In Tallahassee, Fla., city officials suspended a bus company franchise to bar desegregation and arrested bus employees who defied their order. Violence in Tallahassee caused Gov. Leroy Collins to order service suspended there.

Instead of the type of legislation proposed by Mr. Dingell and Mr. Powell, it would appear better to broaden the Administration proposal to make it a federal offense to use force or threats of force to obstruct court orders in school desegregation cases to apply to all civil rights cases.

In that way individuals and persons acting under color of law, who obstruct federal court orders in bus cases, could be reached.

34b 1959

BILL S. 1199(Introduced by SENATOR WILLIAM LANGER)

Langer Bill Threatens 'Heart' of Segregation

WASHINGTON—Although it hasn't been headlined in the newspapers, Republican Senator William Langer has introduced a bill, S. 1199, which, if enacted, would pluck the heart out of segregation.

Senator Langer's bill is what might be termed an embarrassing gambit in the game of civil rights as played in Congress.

● **His bill would make it a Federal offense for a proprietor of a theater, hotel, restaurant, park or transportation company to discriminate against members of the armed forces because of race, creed or color.**

How could a Northern Democrat or Republican vote against the rights of men in uniform? How could Southerners vote against such rights?

■

IT IS BECAUSE the answers to those questions are difficult that Senator Langer's bill is ultimately destined for the headlines and, maybe, for enactment into law.

If men in uniform won their civil rights, civilians couldn't be far behind.

Atty. Hubert T. Delany, New York, thinks highly of the Langer bill.

● **"As long as we continue to conscript our people for military service, the least we should do is to assure them fair and equal treatment, regardless of the unconstitutional and undemocratic practices of the backward areas of our country."**

Langer's bill is expected to win the support of most veterans' organizations.

Stennis Supports Negro Migration

Sees Russell's Proposal Helping To Balance Races, Aid Economy

WASHINGTON (AP)—Sen. Richard Russell (D-Ga) said today he will "push for all it's worth" his bill to encourage the migration of southern Negroes to northern states, and northern whites to the South.

Sen. John Sparkman (D-Ala) announced "I will gladly support it." Sen. John Stennis (D-Miss) hailed it as a proposal "to more evenly balance the racial distribution and stabilize the economy."

Russell said he will introduce the bill after Congress convenes Wednesday. It would authorize grants and loans to help finance the voluntary migration of Negroes from the South to resettle in northern areas, and of white families from the North to southern states.

None of the money, however, could be used to assist the relocation of Negroes in the South, or of whites in northern areas.

The bill's terms would require evidence that the resettlement held promise of improving the social or economic lot of the migrants. Russell has not estimated its cost, but said it would not be prohibitive and certainly not more than the cost of the foreign aid program.

The current foreign aid program has a price tag in excess of four billion dollars.

Russell's bill would set up an agency known as the Voluntary Racial Relocation Commission to run the program. The bill's objective, Russell said, is "a more balanced racial distribution" in the United States. He said he will argue that it would tend to ease racial tensions in the South.

Sparkman and Stennis said they thought so, too.

All three senators said they wanted to emphasize that under the bill's terms no one could be forced to migrate unwillingly.

Sparkman said he recalls that "at the height of the new deal" a House subcommittee studied the problem of moving persons for their economic improvement, although nothing came of this.

A bill introduced by Sen. William Langer R-ND in 1957 sought to provide federal aid for Americans desiring to migrate to Liberia. Organizations of Negroes of Liberian descent endorsed the measure, but it died in the Senate Judiciary Committee.

Race Migration Will Be Pushed

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Sens. John Sparkman and Lister Hill, Alabama Democrats, said they like Andrews' measure.

"I have supported legislation of this character in the past and I shall continue to support it," Hill said.

Sparkman said he strongly favors Andrews' bill.

"Some have charged that bills of this type would force Negroes to leave the South," Sparkman said. "This is not true. Rather assistance would be claimed on a wholly voluntary basis by anyone in need of financial assistance who desires to move to another state and can show that migration would be for his economic betterment.

"If, as is often claimed, Negroes now living in the South could do better in the North and they wish to migrate, such a law would make it possible for them to do so.

Negro Relocation Bill Renewed

WASHINGTON (AP) — A proposal for a federal loan program to aid unhappy Negroes to move away from the South was renewed today by Rep. George Andrews (D-Ga.).

His bill would authorize relocation loans to any Negro living in a state which practices racial segregation to enable him and his family to move to any state without such segregation.

It would set up a three-member human resettlement commission appointed by the President, and authorize transportation and relocation loans up to $1,000, repayable within 10-20 years at 2½ per cent interest.

34b 1959

JUDGES ASK TERM HIKES

Prosecutors Seek Bombing Statutes

TALLAHASSEE, March 28 (UPI)—Florida's prosecuting attorneys will ask the Legislature next month to enact broad laws to deter terrorist and "hoax" bombings.

The prosecutors will urge statutes making it a felony to threaten to bomb, dynamite or otherwise blow up a building and setting a penalty of up to one year in jail or a $1,000 fine for making false reports of bombings.

The state's prosecutors and circuit judges have given their approval to a host of other so-called lawyer's bills which are being drafted for consideration of the Legislature.

One of the jurist's measures would increase to 10 years the terms of judges of the Supreme, district appellate and circuit courts. This would require a constitutional amendment changing the present six-year limitation.

The prosecutors guaranteed revival of an age-old fight in the Legislature by recommending for resubmission the proposal that state attorneys be allowed to appoint their own assistants.

Ask Other Aides

Assistant state attorneys now are named by the governor in every county except Dade, which has a separate constitutional amendment. The prosecutors also will recommend that every state attorney be allowed a special investigator and a $300 a month secretary.

Another controversial proposal of the prosecutors would permit automatic revocation of the driver's license of a person arrested for drunken driving who refuses to submit to a test to determine the alcoholic content of his blood.

Both the circuit judges and prosecutors propose that persons under death penalty be sent to the state prison for safekeeping pending issuance of a death warrant by the governor. Present law requires they be kept in the county jail.

Seek Quick Appeal

The prosecutors also will urge bills:

Permitting the state to appeal immediately from a pre-trial order quashing a search warrant or suppressing evidence gained by search and seizure.

Adopting a model perjury act.

Making it an offense to resist a city police officer while he is making an arrest for violation of state law.

Authorizing state attorneys and county solicitors to swear to secrecy witnesses before them and allowing contempt citations for violations.

Transferring from the state attorney to the county attorney the duty to represent the state in forfeiture proceedings under the beverage and lottery laws.

Would Authorize Search

Authorizing the search of a dwelling for any evidence of crime.

Raising the maximum penalty to one year in jail and a $1,000 fine for contributing to the delinquency of a minor.

Permitting city police, in "hot pursuit" of a violator, to chase him beyond the city limits to make the arrest.

Making it a misdemeanor to attach to a motor vehicle a license plate not issued for that vehicle.

Permitting the judge to impose a fine and waive imprisonment in offenses punishable by both fine and imprisonment.

Among bills recommended by the judges are measures to:

Require suits for divorce against a non-resident to be filed in the county where the plaintiff resides.

Equal Penalty

Make the penalty for forgery or uttering forged bank checks or drafts the same as for larceny.

Increase mileage allowance for jurors from five to 10 cents a mile.

Set the qualifying date for candidates for circuit, district appeal and Supreme Court judges not later than noon Feb. 1 of each election year.

Eliminate the provision for special business damages in eminent domain cases.

Give the judge, in eminent domain cases, discretion to set the amount of deposit, so long as it is not less than the value fixed on the property by the court appraiser.

BOMBING STATUTES

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
TUSKEGEE INSTITUTE
REEL 170

Bombing Bills Are Drafted

Lawyers Seek Stiff Penalties

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The prosecutors' other bills include:

ADOPTING a model perjury act.

MAKING it an offense to resist a city police officer while he is making an arrest for violation of state law.

AUTHORIZING the search of a dwelling for any evidence of crime.

RAISING the maximum penalty to one year in jail and a $1,000 fine for contributing to the delinquency of a minor.

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Anti-Dynamiting Bill Is AJC Aim

WASHINGTON — The American Jewish congress this week called for a strong Federal anti-dynamiting law that would cover homes as well as institutions and that would permit the Federal Bureau of Investigation to move in swiftly when racial or religious bombings occur.

Testifying before Subcommittee No. 3 of the House Judiciary Committee, Sanford Bolz, Washington counsel for the Jewish Congress, listed 77 bombings and attempted bombings in eleven Southern states from 1955 through 1958.

House Passes Bill On Hate Bombings

TALLAHASSEE, April 20 (AP)—The Florida House today passed without a dissenting vote a bill to help law enforcement officers crack down on school and church bombings.

The bill tightens penalties on bomb throwings and bomb hoaxes and clears up weak spots in the law that made prosecutions difficult.

The Florida Sheriff's Assn., called for passage of the bill after bombings and attempted bombings at Jacksonville and Miami, and bomb hoaxes at Tampa and other places.

Now the measure goes to the Senate where early approval is indicated.

The death penalty is provided by the law when a bombing kills a person. A bombing that resulted in injury or property damage would carry a penalty of 20 years to life imprisonment. Mere threat of a bombing could be punished up to 20 years in prison.

Persons convicted of bomb hoaxes could get up to 10 years in prison.

34b 1959 CALIFORNIA

Bill Prohibiting Racial, Religious Housing Bias Made Law In California

California Governor Signs Fair Public Housing Bill

Daily World Atlanta, Ga.
Wed 7-13-59 pg

SACRAMENTO, Calif. — (SNS) — Governor Edmund G. Brown has signed into a law a bill prohibiting discrimination based on race or religion in the sale or rental of publicly assisted housing.

The bill is AB 890, authored by Assemblyman Augustus F. Hawkins (D), of Los Angeles. It provides that any person aggrieved by violation of the law may seek injunctive relief and damages of not less than $500.

"I count this one of the most substantial forward steps of the recent session of the State Legislature," Governor Brown said in signing the bill.

"Early in the session, the Legislature, and I signed, California's first Fair Employment Practices Law, prohibiting discrimination in employment," he said.

"Now, with the Hawkins bill we have outlawed discrimination in the sale and rental of publicly assigned housing," he added. "This bill ranks with FEPC as a reaffirmation of the American principle of equal opportunity for all."

The bill defines publicly assisted housing as any residential accommodation which is:

1. Granted a tax exemption (except veterans' exemptions)
2. Built on public land sold below cost or acquired by condemnation.
3. Located in a multiple dwelling and is built, acquired or maintained with funds insured by the Federal, State or local governments or any of their agencies.
4. Offered for sale by anyone who owns or otherwise controls five or more housing accommodations on land that is contiguous if built, acquired or maintained with funds insured by the Federal, State or local governments or any of their agencies.

The term "discriminate" as used in the bill includes to segregate or separate.

The bill not only prohibits refusal to sell or rent or to discriminate in the terms of selling or rental, but also bars any written or oral inquiry by the owner concerning the race, color, religion, national origin or ancestry of a person seeking to purchase or rent publicly assisted housing.

Commission On Rights Permanent

General Assembly Also Enacts FEPC For State Agencies

JEFFERSON CITY, Mo. — Two civil rights bills were passed by the Missouri State Legislature which ended its 70th annual session here Sunday night, May 31, while one died in committee.

The two bills passed were:

1. House bill No. 266 which makes the Missouri Commission on Human Rights a permanent state agency and gives it the right to hold public hearings. Prior to passage of this bill, the Commission would have gone out of existence in 1961.

2. House bill No. 123 which makes it unlawful for state agencies to practice discrimination in employment based upon race, creed or color. It is in effect a state FEPC law.

House bill No. 266 was passed by the Senate Friday, May 29, by a vote of 28 to 2. The two senators voting against it were J. F. Patterson of Caruthersville and James P. Kelly of Trenton.

Handled by Keating

The bill was called up for perfection and final passage by Senator Edgar J. Keating of Kansas City.

Before the Senate voted on the measure, the bill was debated for more than an hour. Several amendments were offered to limit the Commission's functions and to terminate its existence, but all were defeated.

Senator John W. Noble of Kennett, Mo., offered two amendments prior to passage and when both were defeated, he voted in favor of the bill without amendment.

Senator Noble's first amendment was to strike out the phrase permitting the commission to hold public hearings. The senator contended that the commission already had this right and did not need specific authority.

Senator Keating opposed the amendment, stating that the Commission members feel that they do not have the authority to hold public hearings and have not held any hearings because of this belief. "Under the present law," Senator Keating said, "they just do not know whether they have this right now. They want specific authority. They can do a better job of fact-finding and settling of differences if they have the right to hold public hearings."

Senator Noble said that he still thought that the Commission could hold hearings without a change in the law.

Senator Noble's amendment was lost by a voice vote. He then offered another amendment which would strike out the section in house bill 266 which gives the Human Rights Commission the authority to "request the attendance of witnesses." Senator Noble contended that this was not necessary. This amendment also was lost by a voice vote and the amendment killed.

Wants Expiration Date

Senator Avery then offered an amendment setting Jan. 1, 1964, as the termination date for the Commission. "The Commission needs a expiration date," he said. "I am very much against any permanent commission. The conditions that brought about the creation of this commission will not always be with us and my amendment will give the commission plenty of time to prove itself. By 1964, it will have served its purpose—done the things it was created to do. However, if by 1964— if the conditions still exist—and there is still a need for such a Commission, then the General Assembly at that time should be allowed the right to extend its life. We shouldn't make it permanent."

Senator Keating fought this amendment, stating that the conditions which brought about the need for the Commission "are as old as time—and I doubt if the need for this type of Commission will end by 1964. Every General Assembly has the right and power to terminate any Commission. The Commission should be made permanent until the General Assembly sees fit to terminate it."

Later during the debate Senator Keating added, "There is no good reason for putting a termination date on this Commission. It has done a good job so far and there is much that still needs doing."

After Senator Avery's amendment to end the Commission in 1964 was lost by a voice vote, Senator Noble offered another amendment, setting as the termination date June 1, 1979. "Twenty years," he said, "should be ample time for the Commission to do its job." This amendment was killed by voice vote.

Senator Keating then called for third reading and final passage of the bill. Passage of the bill followed.

Senator Keating also handled House bill 123 in the Senate.

Both 123 and 266 now go to the desk of Governor James T. Blair Jr. whose signature will make them law. The governor recommended in his inaugural message in 1957 that a Commission on Human Rights be created, so there is little doubt that he will sign the bills.

Both bills were piloted through the House by Rep. J. McKinley Neal, member of the legislature from Kansas City. Neal and Reps. Leroy Tyus, Henry Wheeler and James P. Troupe of St. Louis were authors of both 123 and 266.

In its closing hours, the legislature appropriated $20,500 for the Human Rights Commission to operate for the next two years. The Commission had asked for $37,000.

Gregory E. Shinert, executive director of the Commission with offices in the State Capitol, commenting on passage of the law making the Commission a permanent agency, said: "Permanency for the Commission will permit the Commission to make plans and long-range programs with an assurance that it can put these into effect and see them materialize. The educational program, fact-finding functions and conciliatory work of the Commission will continue to develop along the lines suggested by Governor Blair and the General Assembly to the end that Missouri will hold firm to its rank as one of the 26 civil rights states. The Commission is sincerely appreciative of the splendid help given by so many persons who worked for House bill 266."

Father Trafford P. Maher, S. J., of St. Louis is chairman of the State Human Rights Commission. Other members are Samuel S. White and Miss Lucile H. Bluford Kansas City; Dr. James N. Freeman, Jefferson City, Perry Henderson, Clayton; Rabbi Ernest I. Jacob, Springfield; Milton Litvak, St. Joseph; Dr. F. L. McCluer, St. Charles; Rev. Lee F. Soxman, Rolla; Lynn Twitty, Sikeston and Howard B. Woods, St. Louis.

The civil rights bill left in committee was House bill No. 502 which would have given the City Council of Kansas City authority to pass a public accommodations bill.

34b 1959

Hearings Begin On FEPC Bill

By SIMEON B. OSBY

SPRINGFIELD, Ill.—Highlight of the legislative week will be the first test of the administration's Fair Employment Practices Bill (House Bill 495) when it comes up for hearing before the House Committee on Industry and Labor Relations at 2 p.m. today.

In anticipation of a large audience of supporters and spectators Rep. William H. Robinson (R-Chicago), sponsor of the measure, has called for the hearing to be held in the House chamber.

Robinson said he expects two bus loads and several private cars of FEPC boosters from Chicago alone — and probably many more from other parts of the state.

EXPERTS TO TALK

Among those appearing as witnesses at today's hearing will be representatives of industries where fair employment practices have been in successful operation, as well as representatives of labor unions and civic and religious organizations who have long advocated the principles of equal job opportunities.

Foremost among those to testify will be Edwin C. Berry, executive directory, Chicago Urban League, who is to be the expert witness. Others scheduled to testify are:

Augustine J. Bowe, Chicago chairman of the Illinois Committee for Equal Job Opportunities; Rueben Soderstrom, Springfield, president, Illinois AFL-CIO; William Caples, vice president Inland Steel co. (Chicago) and chairman of the mayor's committee on employment;

Louis Schwartz, Springfield, chairman, Illinois Commission on Human Relations; Dr. Lucius H. Holman, of Joliet, president, Illinois Conference NAACP branches; and the Rev. William Lambert, president Baptist Ministers Conferences of Chicago and vicinity.

AGE CLAUSE

House Bill 459 was introduced into the legislature on March 11 at the direction of Gov. William G. Stratton. It is identical in its provisions to House Bill 2 and Senate Bill 36, introduced respectively by Rep. Corneal A. Davis and Sen. Fred J. Smith, Chicago Democrat, except that the governor's bill includes a section which prohibits discrimination in employment because of age.

NAACP Hits Defeat of FEPC Bill

FEPC BILL

The Chicago branch of the National Association for the Advancement of Colored People has branded the failure of the Illinois state Senate to pass the equal job opportunities bill as a "callous rejection of the rights and the aspirations of the Negroes of this state."

"We were not seeking special privilege or favor in asking for this legislation," an N A A C P spokesman said. "We were asking that the state recognize the fundamental right of the individual to the pursuit of happiness and protection for those who are now being denied that right."

Chicago NAACP President Ted Jones said the Senate's defeat of the EJO bill "can only be construed as an unfriendly act on the part of all who opposed it."

He said the NAACP feels it was "misled by the governor Stratton" who had stated to an official of the Chicago branch that the EJO was "must" legislation and that he was prepared to do the "horse-trading" necessary to get it through the Senate.

Will Filibuster Live Despite the Liberals?

By HAROLD L. KEITH
(Courier Managing Editor)

MOST OF THE nation's expert "crap shooters" should have their eyes trained on Washington this month where the filibuster arch-foe of progressive legislation meets its fate.

• The situation is made to order for those who would stake their political futures upon the cast of a vote, for the nation's capital has seen many political careers prosper, or die, as the result of a prudent, or imprudent, stand on a crucial issue in Congress.

Northern Democrats and Republicans have before them a challenge of whether or not they will bow to the rule of Dixie in Congress or assert their power as a dominant majority.

PERHAPS AN inkling of the way the wind is blowing in Washington can be sniffed from the "ambitious" program to deny Dale Alford, Little Rock segregationist his seat in the House of Representatives. Dr. Alford, many readers will recall, is the gentleman who unseated the "neither fish nor fowl" Congressman from Arkansas, Representative Brooks Hays, in an unprecedented "write-in" victory.

• The demise of this "unseat Alford" campaign is now in the offing, and many of the so-called "liberals" who huffed and puffed mightily against the seating of Mr. Alford seem to have reached a "cooling off" period. Informed persons in Washington agree that Dr. Alford probably will be allowed to take his seat while all of the multitudinous complaints against him are given the traditional "vacation" treatment by Congress.

Perhaps this could be a straw in the wind, for if Northern "liberal" Congressmen are willing to compromise on Dr. Alford, their Senatorial brethren could be just as willing to compromise on the question of Senate Rule 22 which governs the filibuster.

SOME TIME ago, P. L. Prattis, editor of The Pittsburgh Courier, addressed letters to key Senatorial members of the 86th Congress in which he asked them what their stand would be with respect to the issue of Rule 22.

• Many of the solons answered, some were unable to answer as they were out of the country on various Congressional jaunts, and others simply did not bother to reply.

Some of the replies which reached The Courier's editorial chambers were as follows:

■

HENRY DWORSHAK, Republican of Idaho: "I am fully aware of the likelihood that there will be some debate at the beginning of the next session to revise this rule, and I assure you of my profound interest in this proposal. However, at this time I am not in a position to make any definite commitment as to my position."

■

JOHN J. WILLIAMS, Republican, Delaware: "There have been several suggestions made for modification, and while I do not consider it perfect, I still could not state what my position would be on any proposals until after I have seen the suggestion."

■

WALLACE F. BENNET, Republican, Utah: "I think the question as to whether or not Rule 22 should be changed has broader significance than its effect on any one problem, including the very serious one to which your letter refers . . . I cannot commit myself until I know what these proposals are and have had a chance to decide which, if any of them, is, in my opinion, the best."

HUGH SCOTT, Republican, Pennsylvania: "As I stated throughout the recent campaign, I certainly intend to be active in securing an amendment to Rule 22 which would eliminate the present filibuster situation. Please be assured of my continued interest along these lines."

The Democratic voices heard from sounded a little different from the GOP opinions. Some of these gentlemen spoke thusly:

■

KENNETH B. KEATING, Democrat, New York: "No one should have any doubt as to where I stand on this issue . . . In my opinion, one of the major blocks to passage of more effective civil rights measures has been the fight of filibuster in the Senate. Under Senate Rule XXII, a small group of men have repeatedly thwarted the clear rule of the majority . . . You may be certain that I will join the ranks of those Senators who seek to change Rule XXII in the next session of Congress."

■

JOSEPH CLARK, Democrat, Pennsylvania: "Please be advised that I hope to take the lead in the effort to remove the filibuster rule in the early days of the next Congress."

■

JOHN F. KENNEDY, Democrat of Massachusetts: "You may be certain of my support for this revision in the anti-filibuster rule. I agree completely with your analysis of that rule, for it seems to be the antithesis of democracy. It allows a small minority of Senators to prevent important legislation."

■

PAT McNAMARA, Democrat of Michigan: "You may rest assured that when Congress convenes in January and this subject is presented in the Senate, it will receive my whole-hearted support."

■

WILLIAM PROXMIRE, Democrat, Wisconsin: "You can count on me to work for changing Rule 22 so as to assure effective legislative action to protect the liberties of American citizens."

■

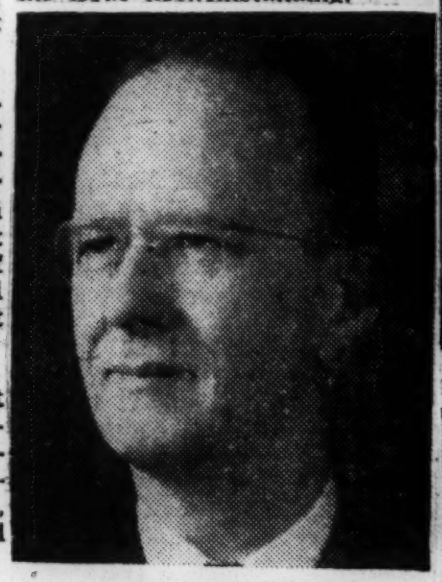
GORDON ALLOTT, Democrat, Colorado: "I am already at work with the other proponents for changing Rule 22 and it now appears that we will unquestionably be able to modify the Senate Cloture Rule into a workable provision."

■

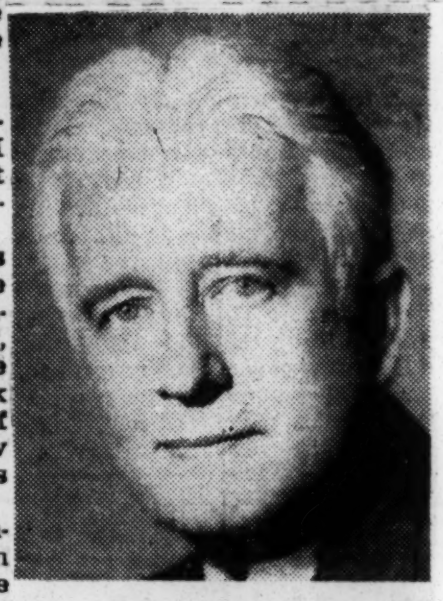
EDMUND S. MUSKIE, Democrat, Maine: "May I say that I am one of those who believe that Senate Rule 22 ought to be liberalized."

Of course, there were others who had their say, Wayne Morse of Oregon, Cance Hartke of Indiana, Jacob Javits of New York, Cliff Case of New Jersey, Gene McCarthy of Minnesota, Frank Moss of Utah, Frank Church of Idaho, Clint Anderson of New Mexico and Harrison A. Williams of New Jersey.

Nonetheless, the dice have undoubtedly already been cast on this particular issue, and all true "Americans" will have to wait until Congress convenes to see whether the above solons and their constituents hit "seven" or "eleven" or, to put it bluntly, "crap out," all pronouncements on the issue notwithstanding.



BROOKS HAYS
. . . neither "fish nor fowl"



SEN. KENNETH KEATING
. . . "no doubt where I stand"

SEN. JOHN KENNEDY
. . . anti-filibuster

SEN. HUGH SCOTT
. . . against filibuster, too!

Against Rule 22

Douglas Says Lippmann Misses Point About Filibusters

By Senator Paul Douglas

[Letter To The Washington Post]

WALTER LIPPMANN'S opposition to a change in Senate rules to enable a majority of those elected to shut off a filibuster and come to a vote after full debate, is especially regrettable in view of the thoughtful character of his general comments on national and world events.

He does not, like some, charge that the rule change we propose would endanger full and fair debate.

Instead he bases his opposition on the claim that on a very controversial issue — like equal protection of the laws for our Negro citizens—a majority of the whole Senate should not have the power to act.

This doctrine is obviously in the tradition of John C. Calhoun.

Clearly this is a principle of allowing the elected representatives of a section of our country to veto action believed necessary by most of the nation, including much enlightened opinion in the South. In the face of widespread denials of constitutional rights to equal protection of the laws in many sections of the country, it would deny Congress the power to act. The 14th Amendment, which grants these rights and expressly gives Congress the power to enforce them, and the historic decisions of the Supreme Court interpreting them would thus continue to be nullified.

I cannot believe such a surrender to nullification is in the best interests of the country. It places a premium upon resistance to the Constiution and the orders of the court—and in extreme situations, upon lawlessness. It takes away the hope of orderly, thoroughly-debated legislative assistance for those deprived of their rights. It prevents the nation from marshaling its resources of reason and law to make a deliberate transition to compliance with the Constitution and the moral principles that undergird it.

AND I believe Mr. Lippmann in this case ignores another overriding factor to which he is ordinarily so sensitive, the responsibility of our country in leading the forces of freedom in the world. We gravely damage the whole nation in its struggle against tyranny if we allow it to default on its promises to its own colored citizens.

But that is what the present filibuster rule in the Senate does, and what the slight modification proposed by Senator Johnson to a simple two-thirds limitation would do. That was the rule from 1917 to 1949. It did not work. No debate limitation on a civil rights bill was passed even once, though it was tried eight times, and secured large majorities (but not two-thirds) twice, in 1950.

Mr. Lippmann correctly points out that the Constitution provides for a two-thirds vote in some cases—treaties, overriding vetoes, expulsion, impeachment and constitutional amendments.

But those cases are carefully and specifically provided. They furnish no justification for the Senate by its rules in effect to amend the Constitution further so that on civil rights bills or other controversial measures a two-thirds vote in the Senate is required. Mr. Lippmann would in effect compel the Senate to secure the same two-thirds vote to enforce the 14th Amendment that the Constitution required for its initial passage.

Furthermore, beyond the opportunities for prolonged debate which our proposed filibuster-limitation rule still affords, the smaller states and Southern states already have the built-in protection in the Senate of having two senators for each state, regardless of population. Thus the 24 smallest states with less than 20% of our population can block action in the Senate by the 24 largest states with over 80% of our population even with majority rule, which Mr. Lippmann decries.

IN ADDITION the operation of the seniority system gives these small states and the Southern states a heavy preponderance of the powerful congressional committee chairmanships. Surely the foregoing factors confer enough power on the representatives of a minority even under majority rule in the Senate, without giving to 33 senators the right to block action by 65, as the present rule does.

It is worth while to recall that the smallest 17 states, whose senators the present and the proposed two-thirds cloture rule would permit to block all action, have but 8% of the population. The 11 Southern and 6 border states have only 33% of the population. And the voter participation in most of the Southern states is much less than in the rest of the nation.

Beyond all this, the House of Representatives, the President with his veto power, and the Supreme Court are all instruments of government that can and do restrain impetuous and improper congressional action.

Thus the brakes upon the "tyranny" of majorities, which Mr. Lippmann fears, are already very substantial. To enshrine the filibuster, as he argues the Senate should do, is to paralyze the Congress in this crucial area of human rights. The bipartisan group working for the change in Rule 22 believe, on the contrary, that the time for reasonable but definite action is now, and only if majority rule is restored in the Senate—with all the safeguards I have mentioned—can we hope to carry out our responsibilities to our own citizens and to free peoples everywhere.

Senate Explodes 'Riahts' Bubble

Liberals Staggered By Filibuster Vote

WASHINGTON (UPI)—Liberal senators today foresaw only a slim chance for civil rights legislation in the wake of the Senate's refusal to make a major change in its anti-filibuster rule.

The four-day filibuster fight ended Monday night when the Senate approved, 72-22, a compromise by Democratic Leader Lyndon B. Johnson (Tex.) providing for a mild rule modification.

But the liberal bloc, which sought tighter debate curbs, promised to renew the battle in the next Congress. Sen. Clifford P. Case (R-N.J.), a leader of the bipartisan group, said: "This is only a battle and not the war."

The Johnson provision provides that two-thirds of senators present and voting can limit debate. The old requirement was two-thirds (66) of the Senate's 98 members.

Liberals argued that the Johnson plan was hardly an improvement; most Southerners opposed any change.

The liberals made their big drive for a proposal by Sen. Paul H. Douglas (D-Ill.) to require only a majority (50) of the Senate's membership to cut off debate after 15 days. They lost 67-28.

A follow - up move by Sens. Thruston B. Morton (R-Ky.), Clinton P. Anderson (D-N.M.) and John Sherman Cooper (R-Ky.) also was beaten, 58-36. It would have let three-fifths of senators present and voting limit debate.

Douglas, who voted against Johnson's compromise as "meaningless," declared that "we are not going to give up the fight on civil rights."

He said both the Democratic and Republican leadership "made a great mistake" in supporting the compromise. He declared they had made it "improbable that we might get a meaningful civil rights bill in the near future."

MAJORITY VOTE TO CHANGE RULE, NIXON INFORMED

Filibuster Curb Backers Set Forth Views

By JOHN CHADWICK

WASHINGTON (AP)—Senators favoring a tighter curb on filibusters contended Thursday the incoming Senate is free to adopt rules of procedure by majority vote at the start of the session Jan. 7.

They dismissed as irrelevant the argument that the Senate, because only a third of its membership is elected every two years, is a continuing body with rules that carry over from one Congress to the next.

"The suggestion that rules enacted by men long since dead or retired from public life should prevent the majority of the Senate of the 86th Congress from adopting its own rules is contrary to the very spirit of democracy . . ," they said.

BETTER FIGHT FACED

Sens. Paul Douglas (D-Ill), Hubert Humphrey (D-Minn), Jacob K. Javits (R-NY) and Clifford P. Case (R-NJ) set forth their views in a bulky, legal-type brief presented to Vice President Richard M. Nixon, the Senate's presiding officer.

The brief is designed to bolster their position in a bitter fight shaping up over Senate Rule 22, which requires the votes of two-thirds of the entire membership to cut off a filibuster and bring an issue to a vote.

"What is at stake is far more than civil rights legislation, important as that is," they said. "What is at stake is the ability of the Senate to function as a democratic and effective legislative body in the interests of justice and peace."

Southern senators long have relied on their power to filibuster to block or water down civil rights measures, but over the years many other types of legislation have run into filibusters by senators from other sections.

SOUTHERNERS TO MEET

Douglas, Humphrey, Javits and Case are leaders of a bipartisan group seeking a change in Senate rules to permit filibusters to be choked off by a majority of the senators—or by 50 instead of the 66 required by the present two-thirds rule.

Senators from nine Southern states have scheduled a meeting Monday afternoon in the office of Sen. Richard B. Russell (D-Ga) to work out strategy for fighting the proposed rule change.

The issue of whether Senate rules carry over from one Congress to another is of key importance in the impending battle because, if they do not, opponents of the proposed change would be stripped of their power to filibuster against it.

In 1957, when a similar and unsuccessful fight was made at the start of the 85th Congress, Nixon expressed the opinion that the Senate could adopt new rules under whatever procedures the majority approved.

He had no opportunity to make a formal ruling since no point of order was made against the motion to take up the adoption of rules. Instead the motion was tabled, and thus killed, by a vote of 55-38.

Senator Aims To Halt Fight On Filibuster

WASHINGTON (AP) — Senate Democratic Leader Lyndon B. Johnson of Texas was reported Tuesday night to be considering a stroke aimed at averting a long and divisive battle over limiting filibusters.

With the battle due to begin at the opening of the new session of Congress Wednesday Sen. Paul H. Douglas (D-Ill) said Johnson indicated to a group of Democrats he might seize the initiative with a compromise proposal.

RULES CHANGE

Douglas is a leader of a bipartisan group of Northern and Western senators who want to change the Senate rules in such a way as to make it easier to shut off filibusters, or endless talk.

The Democrats met with Johnson at the end of a day of strategy planning for the fight ahead.

Johnson said no conclusions were reached at the meeting. He said he had no proposal to make at this time and expected no votes or other action Wednesday on the merits of the controversy.

Earlier, 15 Democrats and eight Republican in the anti-filibuster bloc held separate huddles and then predicted victory over opponents of any rules change. Most of these opponents are Southern Democrats.

Following this, Democratic and Republican chiefs of the Northern and Western bloc met to mesh their battle plans. They said afterward they were in complete agreement.

Douglas told a reporter Johnson may offer a compromise under which filibusters could be choked off by two-thirds of the senators present and voting.

WOULD CHANGE MAJORITY

It now takes the votes of two-thirds of the entire Senate—or 66 of the 98 senators—to limit debate.

Douglas and others advocate a change in rules that would permit 50 senators—or a majority of the full senate—to bring a filibuster to a halt.

These Northerners and Westerners contend each new Senate has the right to adopt its own rules by majority vote at the start of a Congress.

This is a key point, since present Senate rules bar any debate limitation whatever on proposed rules changes.

Sen. Clinton P. Anderson (D-NM) has announced he will offer to take up the adoption of rules for the new Senate, perhaps at the opening session although it may be delayed.

Compromise Is Reached On Filibuster

WASHINGTON (AP)—The Senate changed its rules Monday night and made it easier to halt filibusters.

The leaders of Southern Democrats, Sen. Richard B. Russell of Georgia, pronounced it "a sad day." But Sen. Paul H. Douglas (D-Ill), who wanted a stronger curb on Senate debate, said the Southerners had won a great victory.

By a 72-22 roll-call vote, the Senate decreed that from now on two-thirds of the members present and voting can choke off a filibuster against civil rights or other legislation.

The number of senators who could do this could vary from 34 to 66 in theory, but actually would approach 66.

There are 98 senators, and the minimum of 24 necessary to choke off a filibuster under the new rule is based on a quorum of 50 required to do business.

Old Rule.

The old rule required a vote of at least 66 members, or two thirds of the total membership.

The rewriting of the rule on filibusters brought to an end the first big congressional battle of the new session.

The battle began last Wednesday, the first day of the new 86th Congress.

It pitted outnumbered Northern and Western liberals of both parties against the Republican and Democratic leadership and a solid array of Southern Democrats.

For Sen. Lyndon Johnson (D-Tex), the majority leader, the outcome was a smashing triumph. The compromise resolution changing the rules bore his name and the support of colleagues who termed it a reasonable, middle approach to solving the squabble over rules.

The Northern-Western senators said the Johnson plan was little better than the present rule. They tried without success to write a rule that would allow as few as 50 senators to choke off debate.

The final result was foreshadowed when they were soundly beaten on two moves earlier in the day.

No Change.

Southern Democrats, who have used the filibuster as a cudget to beat down civil rights legislation in the past, wanted no change in the rules.

"There is no need on earth," Russell said, "to further curtail free speech in the Senate. . . . It is a sad day when the Senate of the United States demeans itself by imposing new restraints."

But Douglas said the outcome of the battle shows that a coalition of Southern Democrats and conservative Republicans still has a tight grip on the Senate.

The Northern and Western anti-filibuster bloc contended the new rule is almost meaningless. They said it can't be used effectively to muzzle debate and break down blockades to passage of civil rights or other controversial bills.

In the provision allowing debate limitation by two thirds of the members present and voting, the Senate actually was going back to a standard in effect from 1917 to 1949—a period in which debate was shut off only four times.

But something new was added Monday night.

Hereafter, this two thirds rule will apply to motions to change the rules and to all other business. Previously, there was no way to break a filibuster against motions to amend the rules.

Also, the Johnson resolution provides that, except as they are changed through processes set forth in the changed regulations, the rules of the Senate shall carry over from one Congress to another.

This was a key issue in the dispute, with the Northerners and Westerners contending — without success—that the Senate is free to adopt new rules by majority vote at the beginning of a new Congress.

New Civil Rights Bills Advanced by Foes of Filibuster

Held Test Of Senate's Rule Shift

Wide Injunctive Power Is Being Sought for Attorney General

WASHINGTON, Jan. 13 (AP)—A new set of civil rights bills was pushed forward today. Backers of the legislation said it will show whether a new Senate rule will be effective in curbing filibusters.

Sen. Jacob K. Javits (R-NY) said the new bills—one of which would give the attorney general broad new powers in civil rights enforcement—furnish "excellent examples of what were the real stakes" in a session-opening battle over changing Senate rules.

Javits was a leader of the bipartisan bloc of Northern and Western senators which tried unsuccessfully to get a stiffer anti-filibuster rule than the Senate accepted last night. This bloc contended the new rule—sponsored by Senate Democratic Leader Lyndon B. Johnson of Texas—isn't much more effective than the old one.

Injunctive Power

One of the new measures would empower the attorney general to seek injunctions against any interference with civil rights, including what it defines as the right to attend a nonsegregated public school.

A broad provision similar to this was struck out of the 1957 Civil Rights Act. That measure is limited largely to protection of voting rights.

Another new bill would extend the life of the Civil Rights Commission created by the 1957 act. It is due to expire Sept. 9. The legislation would continue it to January 1961.

A third measure, already introduced, is aimed at curbing hate bombings of schools and churches.

The rules battle ended with the adoption, 72 to 22, of Johnson's proposal to permit debate limitation action by two-thirds of the senators present and voting.

This replaces a rule in effect for 10 years. It required the votes of 66 senators, or two-thirds of all 98 senators, to throttle a filibuster.

Acid Test

In referring to the package of civil rights bills, Javits said the measure to arm the attorney general with broad new injunctive powers in particular will put the new rules to an acid test.

He called this "the fundamental civil rights measure which should be considered by this Congress." He said Sens. Kenneth Keating (R-NY), Hugh Scott (R-Pa), and Clifford P. Case (R-NJ) will join him in offering it.

Javits did not say, however, whether it would be part of the civil rights recommendations President Eisenhower plans to submit to Congress.

Southern senators, under the leadership of Sen. Richard B. Russell (D-Ga), bitterly and successfully fought against such a provision in 1957 when it was included in the administration's original civil rights bill.

Russell, meanwhile, issued a separate statement in which he said that although he spoke against and voted against the new antifilibuster rule, he does not regard it as too great a departure from the old one.

34b 1959 FILIBUSTER

Johnson Scores Big Victory As Senate OK's Compromise On Filibuster Rule, 72 To 22

TRIUMPH FOR SOUTH OVER THE LIBERALS

Slight Modification Will Permit Two-Thirds Of Those Present And Voting To End Debate

By MORRIS CUNNINGHAM
From The Commercial Appeal Washington Bureau

WASHINGTON, Jan. 12.—The Senate adopted a new, only slightly modified filibuster rule Monday night by a vote of 72 to 22.

The overwhelming vote crushed liberal hopes for a more drastic change and simultaneously dealt a stinging rebuke to Vice President Richard M. Nixon, the Senate presiding officer.

Senator Albert Gore (D., Tenn.) called the vote, which ended a fight that began with the opening day of the new session last Monday, "A victory for the South."

The new rule—sponsored by Senate majority leader Lyndon B. Johnson (D., Texas)—permits debates to be shut off by two-thirds of those present and voting, which in practical effect will be only one or two votes different from the present rule, which requires the affirmative votes of 66 of the 98 senators.

Has Great Significance

Of greater significance, particularly for the future, is the new rules requirement that Senate rules carry over from session-to-session and may be changed only through the procedures the rules themselves provide.

It was the adoption of this provision that represented a rebuke to Mr. Nixon who, in 1957 and again this year, held in an "advisory opinion" that the Senate is not a continuing body" and therefore may adopt new rules the the beginning of each session.

A final section of the new rule makes motions to change the rules subject to being terminated by two-thirds of those present and voting. The former rule, adopted in 1949, made no provision for halting debate on rule-changing motions, other than exhausting the proponents of such motions.

Committed against any changes in the rules, most Dixie senators voted against the Johnson proposal though they privately regarded its adoption as a resounding victory.

Senators Gore and Estes Kefauver (D., Tenn.), and the two senators from Texas, Florida and North Carolina, voted for the Johnson proposal.

Tribute To Johnson

Other Southerners voted against it. Aligned with them in opposition — because the new rule wasn't drastic enough—were five Northern and Western Democrats and three Republicans.

Adoption of the new rule was a tribute to Senator Johnson's brilliant strategy and leadership.

Earlier, a bipartisan coalition headed by Senator Johnson smashed four more liberal attacks on the filibuster rule.

Defeated 67 to 28 was an amendment by Senator Paul H. Douglas (D., Ill.) which would have permitted debates to be terminated after 15 days by a majority of the Senate.

Other Proposals Rejected

And rejected 58 to 36 was a proposal by Senator Thruston Morton (R., Ky.) which would have permitted three-fifth of the Senate to halt debates.

Then by standing votes, with the tallies not announced, the Senate spurned amendments by Senators Jacob Javits (R., N.Y.) and Clifford Case (R., N. J.).

The Javits proposal would have left the way open for the Senate to use procedures other than those provided in its own rules to make changes in the rules.

The Case proposal contained the same language as the Javits amendment plus a provision that would have stricken from the Johnson proposal language stating that Senate rules continue from session-to-session.

Dixie Wins 60-36 In Filibuster Test

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON—Northern liberals, seeking a sharp revision of the filibuster rule, suffered a crushing 60-to-36 defeat Friday on a key test vote in the Senate.

By this impressive vote, Senate moderates, including the Southern bloc, tabled a resolution by Sen. Anderson (D-NM), that the Senate adopt new rules.

Anderson's resolution was a prelude to an attempt the liberals will make Monday to change Senate rule 22 so that a simple majority of 50 could shut off debate on any issue after 15 days.

Defeat of the Anderson move preserved the historic Senate tradition that it is a continuing body and that its rules shall carry over from one session to the next.

It also was a great personal triumph for Majority Leader Lyndon Johnson of Texas, who offered the tabling motion and who now has a compromise before the Senate to restrict filibusters.

The Southerners, of course, were delighted. Although they want no changes in the Senate rules, they are willing to accept Johnson's compromise permitting debate to be shut off by a two-thirds vote of Senators present.

Shortly after the vote, Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, sent a telegram to 30 senators urging them to vote against the Johnson compromise.

"A vote for the Johnson resolution is a vote against civil rights," he said. He added that civil rights advocates regard Johnson's proposal "as a fraud" which would be ineffective in cutting off filibusters against civil rights legislation.

The present filibuster rule calls for two-thirds of the entire membership, or 66 votes, to shut off debate, and prohibits cloture on motions to take up rule changes.

Although Johnson's compromise would permit cloture on rule change motions, it will preserve the "continuing body" tradition of the Senate.

With the Anderson resolution tabled and out of the way, the Johnson compromise was made the pending business in the Senate.

However, the liberals made their next pitch by offering as an amendment their plan to cut off debate by majority vote after 15 days.

VOTE IS DELAYED

Johnson and the Southerners were ready for a showdown vote on this second liberal move late Friday. But this time the liberals delayed and got a vote put off until Monday.

If they fail in this, they will seek other amendments, including one to impose cloture by three-fifths of Senators present and voting.

There is a possibility the liberals might succeed in that milder amendment, although odds heavily favor defeat of the liberals' majority cloture plan by about the same vote they lost Friday.

JOHNSON CONFIDENT

Johnson appeared supremely confident of whipping the extreme amendment put forward by Sens. Douglas (D-Ill), Humphrey (D-Minn), Javits (R-NY), and Case (R-NJ).

"I am prepared to vote without a minute's delay," the Texan told the liberals, "and when I say it I mean it."

But Douglas, stalling for time in hopes of gaining more strength for the liberal cause, was not ready for a test.

HINTS PROPAGANDA

Over the week-end, Johnson said, as he got an agreement for a Monday vote, there will be "an additional delay for propaganda" by the liberals. But he indicated he was not afraid of it.

Sen. Bridges, Republican policy leader from New Hampshire, who is supporting Johnson, also said he was willing for a Friday night vote.

For the second day in a row, Sen. Talmadge took the floor to oppose rule changes.

Talmadge warned, in a long speech, that the liberal attack on free debates in the Senate actually is one to eliminate the spirit of compromise and respect for the opinions of others and an attempt to centralize more and more power in Washington.

"The right of each Senator to freedom of debate in the United States Senate is a great bulwark protecting both the smaller states and the larger states from imposition on each other," Talmadge said.

To weaken this principle, he declared, would be to put the smaller states at the mercy of the large ones in fields of taxation and government spending.

New Filibuster Rule Approved By 72-22 Vote

Johnson Proposal Wins, Liberal Bloc Takes Beating

By J. A. O'LEARY
Star Staff Writer

The Senate has a new anti-filibuster rule today, approved last night by the top-heavy majority of 72-22.

Steered through by Democratic Leader Johnson in only four days, a compromise described by its opponents as meaningless provides that two thirds of those present and voting can stop a filibuster. The old rule required two thirds of the entire membership. The new rule also:

Will permit limitation of debate on future proposals to change the rules.

Seeks to discourage an automatic review of the rules every two years by providing that Senate rules continue from one Congress to another, unless changed as provided in existing rules. This recognizes the doctrine that the Senate is a continuing body, but it will not prevent Senators from trying to adopt new rules on any opening day, as they did this year.

Kindness Rolls Back Rules Plea. Page A-4

Committee Action Next

Senate leaders will spend the next week filling committee vacancies to clear the way for the legislative program.

The new rule—generally thought of as a mild change—does not satisfy Southerners, who wanted no change, nor the bipartisan bloc of liberals, who wanted a much stronger one. But nearly three-fourths of the Senators voted for it.

The outcome was a great personal victory for Senator Johnson and avoided a fight which many observers thought would delay legislation for several weeks.

The result also tends to dim the impression that the last election put liberals in the saddle in the new Congress, although they undoubtedly will show more strength later on specific legislative reforms. At no time did the liberals muster the 38 votes they had for a similar move in 1957.

Suffer Two Big Setbacks

The liberals suffered two major setbacks yesterday before the final decision.

1. They were beaten, 67-28, on a motion to let 50 Senators—a majority of the entire membership—end a filibuster.

2. They also failed, 58-36, to establish three-fifths of those present and voting as the yardstick to impose cloture.

These defeats were foreshadowed last week, when they were beaten, 60-36, in an attempt to establish the precedent that the Senate was not a continuing body and must adopt new rules for each Congress.

Under the new rule cloture can be imposed by any number from 34 to 66, depending on how many Senators vote. The liberals argued that the change is meaningless, because any move to curb debate will bring out nearly a full attendance.

Silent Support Heretofore

But the fact remains that under the old rule a Senator could give silent support to a filibuster by remaining away, and debate could not be curbed.

Here is the vote last night by which the Senate passed the Johnson resolution amending the Senate rules to permit filibusters to be curbed by two-thirds of those present and voting:

FOR PASSAGE—72

Democrats

ANDERSON, N. M.
BARTLETT
BIBLE
BYRD, W. Va.
CANNON
CARROLL
CHAVEZ
CHURCH
DODD
CLARK
EAGLE
ERVIN
FREAR
GORE
GREEN
GRUENING
HARTKE
HAYDEN
HENNINGS
HOLLAND
HUMPHREY
JACKSON
JOHNSON, Tex.
JORDAN
KEFAUVER
KENNEDY
KERR
MAGNUSON
MANSFIELD
McCARTHY, Minn.
McGEE
MONRONEY
MOSS
MURRAY
MUSKIE
O'MAHONEY
PASTORE
PROXMIRE
RANDOLPH
SMATHERS
SYMINGTON
WILLIAMS
YARBOROUGH
YOUNG, Ohio

Republicans

AIKEN
ALLOTT
BEALL
BENNETT
BUSH
BUTLER
CAPEHART
CARLSON
CASE, N. J.
CASE, S. Dak.
COOPER
COTTON
CURTIS
DIRKSEN
DWORSHAK
GOLDWATER
HICKENLOOPER
HRUSKA
KEATING
MARTIN
MORTON
PROUTY
SALTONSTALL
SCHOEPPEL
SCOTT
MRS. SMITH
WILEY
WILLIAMS, Del.

AGAINST PASSAGE—22

Democrats

BYRD, Va.
DOUGLAS
EASTLAND
ELLENDER
FULBRIGHT
HART
HILL
JOHNSTON, S. C.
LAUSCHE
LONG
McCLELLAN
McNAMARA
MORSE
ROBERTSON
RUSSELL
SPARKMAN
STENNIS
TALMADGE
THURMOND

Republicans

JAVITS
KUCHEL
LANGER

Paired for: Bridges, Republican of New Hampshire.

Paired against: Young, Republican of North Dakota.

Not voting nor paired but announced as for passage: Mundt, Republican of South Dakota and Neuberger, Democrat of Oregon

Bishops Protest Filibuster—

A strong delegation of Bishops is shown in the Washington office of Senate majority leader, Lyndon Johnson, presenting him a petition protesting the filibuster. Left to right: Bishops W. W. Mathews, C. Ewbank Tucker and the Rev. Fred Shuttlesworth; Bishops Frank M. Reid, Carey A. Gibbs (behind Bishop Reid), Aubrey W. Williams, Senator Johnson and Bishops Edgar A. Love and S. L. Greene.

South Wins a Round As Sen. Johnson Offers Filibuster Compromise

Bars Debate By Speedy Adjournment

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON — Senate majority leader Lyndon Johnson skillfully kept Northern liberals to the punch Wednesday as he placed before the Senate his compromise plan to modify the historic filibuster rule.

In the opening session of the 86th Congress, Johnson seized the initiative from the liberals, who want a more drastic revision of Senate rules. He then rammed through a motion to adjourn until Thursday, thus putting off debate for 24 hours on the controversial issue.

The tall Texan, whose compromise is acceptable to the South, was in complete charge of sharp parliamentary skirmishing in the Senate on this brief but hectic opening day of the 86th Congress.

FORESTALLS FIGHT

By his adroit tactics, Johnson also forestalled an opening-day fight on whether or not the Senate is a continuing body with rules that hold over from one session to the next.

This he did despite an advisory opinion by Vice President Nixon that the Senate is not a continuing body and can adopt new rules at the beginning of each session.

Georgia's Sen. Russell caustically questioned Nixon's right, as a member of the executive branch of government, although presiding over the Senate, to decide what is a constitutional question to submit to the Senate for a vote.

BATTLE IS SURE

A fight over this "continuing body" issue is sure to arise Thursday, but Johnson, with solid Southern support, is believed to have the votes to override a formal ruling by Nixon. Such a victory by Johnson would preserve the principle that Senate rules shall continue in effect from one session to another.

The Texan, with powerful bipartisan backing from the "old pro" senators, including minority leader Everett Dirksen of Illinois, also appears to have the strength to get his compromise adopted.

Johnson's plan would be a rather mild modification of Senate Rule 22, governing the limitation of debate. It will be opposed by the Southerners—for the record—but in the end they are expected to accept it as a lesser of evils.

BY TWO-THIRDS VOTING

It would permit cloture to be imposed and debate shut off by a vote of two-thirds of the senators present and voting, whereas the present Rule 22 requires 66 votes—or two-thirds of the entire membership.

His proposal also would extend such cloture proceedings to any motion to take up rule changes. Such motions are not now subject to cloture and can be filibustered indefinitely.

Importantly, Johnson's resolution also would spell out a provision that the rules of the Senate shall continue from one session to another, as they have done since 1789, unless changed under those same rules. In addition to Johnson and Dirksen, the co-sponsors of the compromise include Democratic whip Mike Mansfield of Montana, and Leverett Saltonstall of Massachusetts, chairman of the Republican policy committee.

TWO AIMS

The group of Northern and Western insurgents, outmaneuvered thus far, want to do two things highly objectionable to Southerners and conservative senators from other parts of the nation. They want to first establish a principle that the Senate is not a continuing body and can adopt new rules at the beginning of each session.

But the immediate main goal of this group is to push through a drastic change in Rule 22 so that a simple majority of the Senate—50 votes—can shut debate after 15 days.

This faction is led by Sens. Douglas (D-Ill), Humphrey (D-Minn), Javits (R-NY), and Case (R-NJ), with a strong ally in Sen. Anderson (D-NM).

Scarcely had new senators been sworn in Wednesday before the battle was joined when Javits raised a point of order, inquiring under what rules the Senate was operating.

Vice President Nixon said the Senate was then operating under rules adopted in the past but that he was of the opinion, as he was in 1957, that a majority of the Senate could vote to adopt new rules.

It was a constitutional question, Nixon said, and would be up to a majority of the Senate to decide for itself.

His voice literally dripping with sarcasm, Georgia's Sen. Russell challenged Nixon's opinion, asking the vice president how the Senate is to know what is a Constitutional question.

"I am very grateful to the chair for that ruling," Russell said caustically. "The chair has made a great many rulings, including the one in 1957 which declared the rules of the Senate unconstitutional.

"Of course I have been of the opinion," Russell continued, "that the chair was a member of the executive branch of government who was given the duty of presiding over a parliamentary body, and that was the first time I had heard that the chair exercised judicial powers and could declare a ruling of the Senate unconstitutional."

Johnson and Russell several times appeared to get the normally glib Nixon confused with their parliamentary inquiries as the vice president obviously seemed to be trying to side with the liberal insurgents whenever possible.

The smartest move of the day apparently was when Johnson got the floor after Alaska's two new Senators were sworn in, and introduced his compromise, which also is backed by such old-timers as Sen. Hayden (D-Ariz) and Bridges (R-NH).

Javits and Case blocked Johnson's request for unanimous consent to make his compromise the pending order of business, but the Texan will move to make it so Thursday.

In a cross-fire between Johnson, Russell, Case and Javits with the vice president, Sen. Anderson was recognized and attempted to offer a substitute to the Johnson resolution.

TO SET ASIDE

After a strategy meeting of anti-filibuster leaders, Douglas announced that Anderson would move Thursday to set aside the Johnson proposal and offer his own as a substitute.

The substitute would be a simple motion to proceed to consider new Senate rules.

Douglas said his side was prepared to debate this for a reasonable period and then come to a vote. He said if Johnson moved to shelve the Anderson motion he believed the votes were available to defeat such an attempt.

Senate Gag Move Meets 2-1 Setback

Northern Bipartisan Group Beaten In Key Postponement Action

WASHINGTON (AP) — The Senate slapped down an anti-filibuster coalition Friday and then agreed on procedure that could bring a final vote next week on the issue of changing its rules governing debate.

The decision to postpone any further votes until Monday at the earliest came after the Senate rejected by almost 2-1 a key maneuver by a bi-partisan group of Northern and Western senators.

This move was aimed at opening the way for a tougher clampdown on endless talk—a parliamentary weapon wielded by Southern Democrats to block civil rights legislation in the past.

LAST-DITCH FIGHT

The day's developments heightened prospects for adoption of a compromise proposal advanced by Senate Democratic leader Lyndon B. Johnson of Texas.

But the antifilibuster forces made plans for a last-ditch fight to strengthen the Johnson proposal which they regard as inadequate.

The majority leader—backed by most Democratic and Republican chieftains in the Senate—proposes that two-thirds of the senators present and voting be empowered to cut off debate. The present rules require two-thirds of the entire Senate, or 66 of 98 members, to bring about such a clampdown.

PROPOSAL ATTACKED

Looking ahead to next week's action, Sen. Paul H. Douglas (D-Ill), a leader of the antifilibuster group, called up an amendment to Johnson's proposal. That amendment would permit a majority of the Senate, or 50 senators, to halt

extended debate.

The Douglas amendment was attacked immediately as a gag rule Sen. Joseph C. O'Mahoney (D-Wyo) said he regards it as far worse than the present antifilibuster rule. Sen. Richard B. Russell (D-Ga), boomed, "There never has been as complete a gag rule submitted here."

Starting Monday, debate on each amendment to the Johnson proposal will be limited to two hours. Then four hours will be allowed for debate on the proposal itself before it reaches the final action stage.

The majority leader called the Senate to meet at 10 a.m. Monday, two hours earlier than usual, and abandoned earlier plans to have the Senate meet Saturday.

TABLED BY JOHNSON

The first test of strength—possibly pointing to the future course of the battle—came when the Senate voted 60-36 to table, and thus kill, a resolution offered by Sen. Clinton P. Anderson (D-NM), a member of the antifilibuster bloc. The move to table was made by Johnson.

Anderson's resolution sought to establish that each new Senate has a right to adopt its own rules by majority vote at the start of a new two-year Congress. The idea behind this was to sidestep present rules which provide no way to limit debate on proposals to change the rules.

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FILIBUSTER FOES FACE FINAL LOSS

Polls in Senate Predict Early Johnson Victory in Further Test Votes

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, Jan. 10—Confidential polls indicated today that Senate liberals would lose all pending tests on curbing the filibuster.

Those polls, conducted every few days in behalf of Democratic and Republican leaders when major questions are at issue on the floor.

They indicated that the Senate, after defeating all substitute proposals, would approve by a heavy majority the Johnson formula for closing debate, possibly Tuesday or Wednesday.

This proposal, sponsored by Lyndon B. Johnson of Texas, the majority leader, would allow the Senate to limit debate by a two-thirds majority of Senators present and voting.

The present rule requires a two-thirds majority of the entire Senate membership, or sixty-six votes.

Disposal of the filibuster issue will clear the decks for early action on several bills that may provoke vetoes by President Eisenhower. All involve increases in Federal outlays. Leaders of both the Senate and the House have laid plans to speed their consideration.

The Senate is expected to vote Monday on the debate-closing rule proposed by Senators Paul H. Douglas of Illinois and Hubert H. Humphrey of Minnesota, Democrats, and Clifford P. Case of New Jersey and Jacob K. Javits of New York, Republicans.

This proposal would make it possible to cut off debate by a majority of the membership, or fifty Senators, after fifteen days, or by two-thirds of those present and voting, after two days.

Members of the liberal camp conceded today that the proposal would be rejected.

Their hopes were rising, however, for a good showing on still another formula. This one, proposed by Senator Thruston B. Morton, Republican of Kentucky, calls for closure of debate by a three-fifths majority of the Senators present and voting.

Senator Case told reporters he believed there was a "real chance" for favorable action on the Morton proposal.

Polls indicated, however, that the liberal bloc would have to recruit several more Senators to put it across. The counts indicated that about forty votes was their maximum present strength.

The Senate meets Monday under a unanimous agreement whereby debate on each rules-changing proposal brought up in the present fight will be limited to an hour for each side.

There is an outside possibility, consequently, of a final vote Monday night. A more likely prospect is for disposal of the issue Tuesday or Wednesday.

This will permit the Senate to proceed with the organization of its housekeeping machinery, a chore interrupted on opening day when the battle over rules began. The most pressing task is the appointment of committees, so that hearing on bills can be started.

The measures scheduled for early action include liberalization of Federal programs for housing and airport construction and Federal assistance to chronically depressed areas in various parts of the country.

A depressed-area bill was vetoed by President Eisenhower last year because it went beyond his recommendations. He also vetoed an airport construction bill.

Both were killed by pocket vetoes after Congress had adjourned. The early action planned this year will give the heavily Democratic majorities an opportunity to override the vetoes if the President again invokes them.

Senator Javits said in a statement issued by his office today that adoption of the Johnson formula for limiting debate "will probably sound the death knell for any adequate civil rights legislation in this Congress."

"That includes the proposals the President promised to send to us in his State of the Union message," he declared.

The same point was made by Senator Thomas H. Kuchel of California, the Republican whip (assistant minority leader). Mr. Kuchel is the representative of liberal Republicans in the party's Senate leadership. Other leaders are supporting the Johnson plan.

"The civil rights issue," he said, "is the key to this controversy."

The argument is that it would be no easier to close debate by a two-thirds majority of Senators present and voting than by the present requirement for two-thirds of the membership. The liberals contend that all ninety-eight Senators would be likely to participate in such a crucial vote.

They concede, however, that it would no longer be possible under the Johnson plan for absentees to help sustain a filibuster.

Another advantage of the Johnson formula cited by its advocates is that it would allow the Senate to limit debate on future changes in rules. The present rule prohibits closure on any motion to change Senate rules.

SENATE APPROVES FILIBUSTER CURB ASKED BY JOHNSON

Votes for Compromise Plan, 72-22—Rules Changed First Time in Decade

LIBERALS BEATEN TWICE

outed by Texan's Forces —Southerners Are Irate Over Closure Proposal

By RUSSELL BAKER
Special to The New York Times.

WASHINGTON, Jan. 12 — The Senate put new curbs on filibuster tonight for the first time in a decade.

The vote was 72 to 22 on a proposal by Senator Lyndon B. Johnson to adopt slightly tighter restrictions on Senate debate. It was the first change in Senate rules of debate since 1949. The only votes against were cast by the Southern bloc and a tiny group of liberals who rejected the change as a meaningless "sham."

The vote was a victory for the Democratic floor leader, Senator Johnson, and followed a complete rout of the liberal bloc fighting for more drastic curbs than the Texan had offered.

The Liberals had been defeated in two decisive votes.

The Johnson proposal makes it possible for two-thirds of the Senators present and voting to cut off, or force closure, of debate. The old rule required two-thirds of the full Senate membership, or sixty-six votes.

In addition, the Johnson plan limits closure on rule-changes to be by two-thirds of the Senators present and voting. The old rule made it impossible to cut off debate on rules changes.

The Rules Continue

A third part of the Johnson proposal states that Senate rules shall henceforth "continue from one Congress to the next Congress" unless they are changed in accordance with the other rules—including the requirement for a two-thirds vote to close debate on rules changes.

Between Southern proponents of unlimited debate and the Eastern-Northern liberals seeking the destruction of the filibuster there had been sharp, occasionally bitter, argument about the effectiveness of the Senate Democratic leader's compromise.

Senator Jacob K. Javits, Republican of New York, called it "a bogus proposition" that would not impair the South's power to dilute civil-rights legislation with the threat of filibuster. The adoption of the Johnson plan, he asserted, would hurt politically every new Senator whose constituents had expected a forthright stand on civil rights.

Senator Paul H. Douglas, Democrat of Illinois, said it would "deceive the American public into thinking it is getting something when it is getting nothing."

Russell Is Indignant

By contrast, the Southern bloc, which had assisted in Mr. Johnson's setback of the liberals, spoke against his compromise after it was apparent that its adoption was inevitable. One highlight of the filibuster fight has been the tacit acceptance by the Southerners of Senator Johnson's terms for settlement.

Senator Richard B. Russell, Democrat of Georgia and leader of the Southern bloc, declared it was "a sad day indeed" that found the Senate, under pressure from "great labor organizations" and "the national colored peoples' association," about to "destroy a little more of the prerogatives of the individual Senators" and "demean itself" with new limitations on debate.

Senator Johnson said, however, that "what we have here is a change, not a compromise." It is neither a "punitive" change nor a "meaningless" change, he said.

"It is the will of the people that is reflected here," he went on."

That will is a will, in all sections, for progress, for unity."

The adoption of the Johnson proposal was assured after the two defeats of proponents of sharper limitations on debate.

The first, offered by Senator Paul H. Douglas, Democrat of Illinois, would have permitted closure by a majority of the full Senate membership, or fifty votes. This was beaten by a vote of 68 to 28, with many of the liberal bloc's supporters on other points defecting to the Johnson camp.

A Second Proposal

The liberals pinned their greatest hopes, however, on a second proposal that would have permitted closure of debate by 60 per cent of the Senate.

On this plan, offered by Senator Thruston B. Morton, Republican of Kentucky, they proved powerless to dent the big bipartisan coalition that Mr. Johnson had first mustered against them last Thursday.

The vote against them was 56 to 36. On this vote Mr. Johnson carried six of the fifteen new Democratic Senators. Those voting with the losing liberals included all three new Republicans — Senators Kenneth B. Keating of New York, Hugh Scott of Pennsylvania and Winston L. Prouty of Vermont.

Voting the liberal position in both tests were the Senate's three leading Democratic contenders for the Presidential nomination—John F. Kennedy of Massachusetts, Hubert H. Humphrey of Minnesota and Stuart Symington of Missouri.

After these two showdowns the liberal bloc still had amendments to the Johnson proposal before the Senate, but Senator Johnson's control by this time was so complete that they let them be lost without demanding roll-calls.

Senator Francis Case, Republican of South Dakota, permitted an unrelated amendment to be sent to the Rules Committee for later study. Senator Russell declined even to move his own proposal for retaining unlimited debate on rules changes.

This set the stage for the vote on Mr. Johnson's proposal, in effect giving the Texan a complete triumph in the Senate as he guided his original plan intact toward adoption.

This outcome had been inevitable since Friday, when the liberals had been able to command only thirty-six votes in the first important voting test. A few weeks before Mr. Johnson had moved in with his own terms, this group had been claiming more than fifty votes on at least one significant test.

Its maximum strength, however, never developed beyond thirty-six votes after Mr. Johnson began to move.

Privately, there was some grumbling among the Democrats about the manner in which Mr. Johnson ha dcored his voctory. Some of the members, for example, indicated that their votes had been cast against the realization that their committee assignments might depend in might depend on how they voted.

Among the new Democratic members, Mr. Johnson carried about half. Those who supported him throughout were, E. L. Bartlett and Ernest F. Gruening of Alaska, R. Vance Hartke of Indiana, Howard W. Cannon of Nevada, Gale McGee of Wyoming and Robert C. Byrd of West Virginia.

Those who voted with the liberal bloc throughout were Clair Engle of California, Philip Htrt of Michigan, Eugene J. McCarthy of Minnesota, Frank E. Moss of Utah, Edmund S. Muskie of Maine and Harrison A. Williams of New Jersey.

The theme of the liberals throughout today's debate was that the Johnson proposal was no improvement over the closure rule that defeated eighteen attempts to cut off filibuster between 1917 and 1949, when the rule was last changed and made more restrictive.

From there, they asserted that the Johnson proposal would not satisfy the political demands for change that they said, were heard in the November election returns.

Senator Javits cautioned the new members that if they voted for the Johnson proposal they would "wake up with a big fat albatross around their necks come campaign time."

The record of the fight, he said, is "not going to make very pretty reading" for constituents who thought they were voting "for liberalism" in November.

The Johnson plan, he said, will continue to form "an absolute roadblock to any effort to put the majesty and power of the Federal Government behind rights guaranteed by the Constitution."

Senator Douglas warned that "we might just as well put the emblem of 'King Filibuster" up over the head of the presiding officer with the cotton stalk and the tobacco leaf on either side."

On final passage Senators Javits, Douglas and Hart were among the liberals voting against the change on the ground that it was "meaningless."

The Democrats who broke from the old Southern bloc to vote with Mr. Johnson were Sam J. Irwin of North Carolina, George A. Smathers and Spessard L. Holland of Florida, Albert Gore and Estes Kefauver of Tennessee and B. Everett Jordan of South Carolina.

Senate Filibuster Roll-Calls

WASHINGTON, Jan. 12 (AP)—Following are the roll-call votes by which the Senate rejected today a proposal by Senator Paul H. Douglas, Democrat of Illinois, to let a majority of membership end filibusters and one by Senator Thruston B. Morton, Republican of Kentucky, to let three-fifths of the Senators voting do so:

On Douglas Proposal

FOR THE PROPOSAL—28

Democrats—20

Carroll (Colo.)	Magnuson (Wash.)
Clark (Pa.)	McCarthy (Minn.)
Dodd (Conn.)	McNamara (Mich.)
Douglas (Ill.)	Morse (Ore.)
Engle (Calif.)	Moss (Utah)
Green (R. I.)	Muskie (Me.)
Hart (Mich.)	Pastore (R. I.)
Hennings (Mo.)	Proxmire (Wis.)
Humphrey (Minn.)	Symington (Mo.)
Kennedy (Mass.)	Williams (N. J.)

Republicans—8

Aiken (Vt.)	Keating (N. Y.)
Beall (Md.)	Kuchel (Calif.)
Case (N. J.)	Scott (Pa.)
Javits (N. Y.)	Wiley (Wis.)

AGAINST THE PROPOSAL—67

Democrats—43

Anderson (N. M.)	Jordan (N. C.)
Bartlett (Alas.)	Kefauver (Tenn.)
Bible (Nev.)	Kerr (Okla.)
Byrd (Va.)	Lausche (Ohio)
Byrd (W. Va.)	Long (La.)
Cannon (Nev.)	Mansfield (Mont.)
Chavez (N. M.)	McClellan (Ark.)
Church (Idaho)	McGee (Wyo.)
Eastland (Miss.)	Monroney (Okla.)
Ellender (La.)	Murray (Mont.)
Ervin (N. C.)	O'Mahoney (Wyo.)
Frear (Del.)	Randolph (W. Va.)
Fulbright (Ark.)	Robertson (Va.)
Gore (Tenn.)	Russell (Ga.)
Gruening (Alas.)	Smathers (Fla.)
Hartke (Ind.)	Sparkman (Ala.)
Hayden (Ariz.)	Stennis (Miss.)
Hill (Ala.)	Talmadge (Ga.)
Holland (Fla.)	Thurmond (S. C.)
Jackson (Wash.)	Yarborough (Tex.)
Johnson (Tex.)	Young (Ohio)
Johnston (S. C.)	

Republicans—24

Allot (Colo.)	Goldwater (Ariz.)
Bennett (Utah)	Hickenlooper (Iowa)
Bush (Conn.)	Hruska (Neb.)
Butler (Md.)	Langer (N. D.)
Capehart (Ind.)	Martin (Idaho)
Carlson (Kan.)	Morton (Ky.)
Case (S. D.)	Prouty (Vt.)
Cooper (Ky.)	Saltonstall (Miss.)
Cotton (N. H.)	Schoeppel (Kan.)
Curtis (Neb.)	Smith (Me.)
Dirksen (Ill.)	Young (N. D.)
Dworshak (Idaho)	Williams (Del.)

Not voting but announced as paired:
Senator Neuberger (D., Ore.) for the proposal; Senator Mundt (R., S. D.) against.
Not voting but announced as against the proposal: Senator Bridges (R., N. H.).

On Morton Proposal

FOR THE PROPOSAL—36

Democrats—24

Carroll (Colo.)	Magnuson (Wash.)
Clark (Pa.)	McCarthy (Minn.)
Dodd (Conn.)	McNamara (Mich.)
Douglas (Ill.)	Morse (Ore.)
Engle (Calif.)	Moss (Utah)
Green (R. I.)	Muskie (Me.)
Hart (Mich.)	Pastore (R. I.)
Hennings (Mo.)	Proxmire (Wis.)
Humphrey (Minn.)	Randolph (W. Va.)
Jackson (Wash.)	Symington (Mo.)
Kennedy (Mass.)	Williams (N. J.)
Lausche (Ohio)	Young (Ohio)

Republicans—12

Aiken (Vt.)	Keating (N. Y.)
Allott (Colo.)	Kuchel (Calif.)
Beall (Md.)	Morton (Ky.)
Case (N. J.)	Prouty (Vt.)
Cooper (Ky.)	Scott (Pa.)
Javits (N. Y.)	Wiley (Wis.)

AGAINST THE PROPOSAL—58

Democrats—38

Bartlett (Alas.)	Johnston (S. C.)
Bible (Nev.)	Jordan (N. C.)
Byrd (Va.)	Kefauver (Tenn.)
Byrd (W. Va.)	Kerr (Okla.)
Cannon (Nev.)	Long (La.)
Chavez (N. M.)	Mansfield (Mont.)
Church (Idaho)	McClelland (Ark.)
Eastland (Miss.)	McGee (Wyo.)
Ellender (La.)	Monroney (Okla.)
Ervin (N. C.)	Murray (Mont.)
Frear (Del.)	O'Mahoney (Wyo.)
Fulbright (Ark.)	Robertson (Va.)
Gore (Tenn.)	Russell (Ga.)
Gruening (Alas.)	Smathers (Fla.)
Hartke (Ind.)	Sparkman (Ala.)
Hayden (Ariz.)	Stennis (Miss.)
Hill (Ala.)	Talmadge (Ga.)
Holland (Fla.)	Thurmond (S. C.)
Johnson (Tex.)	Yarborough (Tex.)

Republicans—20

Bennett (Utah)	Goldwater (Ariz.)
Bush (Conn.)	Hickenlooper (Iowa)
Butler (Md.)	Hruska (Neb.)
Capehart (Ind.)	Langer (Md.)
Carlson (Kan.)	Martin (Iowa)
Case (S. D.)	Saltonstall (Mass.)
Cotton (N. H.)	Schoeppel (Kan.)
Curtis (Neb.)	Smith (Me.)
Dirksen (Ill.)	Williams (Del.)
Dworshak (Idaho)	Young (N. D.)

Not voting but announced as paired:
Senator Anderson (D., N. M.) for the proposal; Sneator Bridges (R., N. H.) against.
Senator Neuberger (D., Ore.) for; Senator Mundt (R., S. D.) against.

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Plaintiffs Say Rules Designed Against Race

Atlanta World

Plaintiffs in a historic Georgia civil rights case asked a federal judge Wednesday to forbid use of admission requirements at the Georgia State College here which thy contended were designed to keep Negroes out of the white institution.

Attorneys for three women who were rejected at the college in 1958 because they did not abide by last minute admission requirements asked Federal Judge Boyd Sloan for a declaratory judgement on behalf of Negroes. They also asked for an injunction that would prevent the college from requiring Negroes to comply with a requirement that applicants must obtain the signatures of three alumni or two alumni and a county ordinary or clerk.

COOK HEADS DEFENSE

Atty. Gen. Eugene Cook, heading up a team of lawyers defending the State Board of Regents in the case, said the defense probably will file its final arguments Friday.

The defense was expected to contend that the Negroes did not fulfill such entry requirements as obtaining alumni signatures and providing the college with transcripts of applicaant's records. The defense also was likely to hit hard at the moral character of two of the applicants who, according to trial testimony, had illegitimate children.

Sloan, who heard the non-jury trial of the case in December, is expected to hand down his decision early in January. He ordered both sides to file closing arguments by Jan. 1, but the defense had an extra day because of the New Year's holiday.

LETTER CICULATED

The plaintiffs - Mrs. Barbara Hunt, Mrs. Iris Mae Welch and Miss Myra Ellio'tt Dinsmore-recounted in their closing brief and arguments that they made numerous efforts to obtain the proper alumni signatures, even to circulating a letter to alumni asking for a "get acquainted" meeting.

They contended that white applicants had no trouble obtaining signatures, even being accepted by the "John Henry" of faculty members who are considered by the college to be acceptable as alumni.

They contended it was "the policy, custom, practice and usage" of the Board of Regents to operate colleges on a racially segregated basis in violation of the rights secured to Negro students of Georgia by the due process and equal protection clauses of the 14th amendment."

SIGNATURES IMPOSSIBLE

They also argued that the alumni certification requirement was invalid because the college has no Negro alumni, making it "difficult if not impossible" for Negroes to get the signatures.

The certification requirement was called an "ingenious device for discriminating" against Negroes.

The plaintiffs also reviewed a long list of state laws designed to keep school and colleges strictly segregated.

The plaintiffs memtioned that the defense had raised the morals issue during the trial but had not shown the Negroes applications were rejected on a moral grounds.

They also acknowledged that the NAACP had helped finance the legal fight in the case but they asked Judge Sloan to rule that they had applied at the college in good faith. They said it was the only comparable college where they could enroll in Fulton County.

FILIBUSTER

s Showdown

Filibuster Curb To Clear Way For Bills

By Louis Lautier

(See Editorial on Page Four)

WASHINGTON — Lines are being drawn for an all-out fight for tighter Civil Rights legislation in the 86th Congress which will convene January 7. Afro American P.1

The first test will be made at the very beginning of the session when liberal bloc Senators will move for adoption of new rules. If the liberal bloc prevails, Senate Rules will be amended to curb filibusters and ease the way for passage of more effective Civil Rights legislation.

On the question of changing the rules, the South is divided. The moderate southerners, headed by Senator Lyndon B. Johnson of Texas, senate Democratic leader, will seek the adoption of a compromise which would provide for limiting debate by a two-thirds vote of senators present and voting. Baltimore, Md

The hard core southerners, led by senator **Richard B. Russell**, will oppose any change whatever in the filibuster rule. Dat. 1-3-59

The Douglas-Javits bloc favors a rule which would permit debate to be shut off by a two-thirds vote two days after a cloture petition is filed and by a majority of the entire senate membership, or 50 senators 15 days after a cloture petition is filed.

* * *

SINCE 54 SENATORS are sponsoring a change of one kind or another in the filibuster rule, it is likely that the senate will adopt a new cloture rule.

President Eisenhower has not yet indicated what recommendations he will send to congress on Civil Rights in his State of the Union message. But Attorney General William P. Rogers has indicated that he has asked the President to make at least two recommendations.

One of these would authorize the Justice Department to subpoena records of voter registrars. It does not have that power now and ran into difficulty in the first case it filed under the Civil Rights Act of 1957 to enjoin registrars of Terrell County, Georgia, from refusing to register colored persons.

A Georgia judge instructed the registrars not to turn over their records to federal officials.

The other recommendation Mr. Rogers has made calls for enactment of the so-called part III which was stricken from the Civil Rights Bill by the Senate before it passed the measure in 1957.

* * *

PART III would authorize the Attorney General to bring civil suits to enjoined threatened violations of constitutional rights, including the right to attend non-segregated public schools.

Secretary of Health, Education and Welfare Arthur V. Flemming also has declined to say what recommendations he will make on Civil Rights. But one suggestion made to him is that he urge the President to include in his message federal aid to help school districts to desegregate their public schools.

Under this proposal federal funds would be given **to local communities** which lose state funds by desegregating Afro American

This proposal also would authorize the Secretary of Health, Education and Welfare to cooperate and assist local communities and initiate plans to promote orderly compliance with court orders for school desegregation.

Dat. 1-3-59

BILLS COVERING all of these proposals are certain to be pressed in both the House and Senate.

In addition, anti-bombing bills will be sponsored by Senators Jacob K. Javits and Kenneth B. Keating, both New York Republicans, and Senator John F. Kennedy, Massachusetts Democrat.

Javits and Keating visited Jacksonville, Atlanta and Baltimore

Birmingham to get first-hand information concerning the bombings of synagogues and schools in those cities to use in their fight for anti-bombing legislation.

Senator Sam J. Ervin, North Carolina Democrat, has joined in sponsoring the Kennedy Bill, and they have written the 96 other senators asking them to join in its sponsorship.

Senator Russell has said he will introduce a negative bill. It would provide federal aid to colored persons who wish to migrate from the southern to northern states.

Its purpose is to distribute the colored population more evenly over the nation. Russell, a bitter foe of integration, says such a distribution would ease problems of integration in the South.

Supporters Feel Rule To Curb Filibusters Can Win

By ARNOLD SAWISLAK

WASHINGTON — (UPI) — Four anti-filibuster senators urged Vice President Richard M. Nixon Thursday to hold fast to his stand that the Senate may adopt new rules at the beginning of each session of Congress.

Sens. Paul H. Douglas, D-Ill. Hubert H. Humphrey, D-Minn. Clifford P. Case, R-N. J. and Jacob K. Javits, R-N. Y., submitted a 32-page brief to Nixon urging that a rule to curb filibusters may be approved by a majority of senators when the 86th Congress organizes next Wednesday.

Nixon issued an informal ruling two years ago which supported the theory of the anti-filibuster forces. But the issue already had been sidetracked when Nixon announced his stand in 1957 and the ruling had no force.

MAY ASK FORMAL RULING

There is a good chance that Nixon will be called upon, as presiding officer of the Senate, to make a formal ruling on the question of new rules at the outset of the anti-filibuster struggle.

Southern defenders of the present rule on limiting debate claim the Senate is a "continuing body" and does not have to adopt its rules at the beginning of each new session.

Some have said the attempt to throw out the tradition of Senate continuity is more dangerous than anti-filibuster campaign itself.

Douglas, Humphrey, Case and Javits are leaders of a group of Senate liberals who are ready to launch a battle on the opening day of Congress to force a change that would enable a Senate majority, or 50 members, to impose cloture on debate.

DEBATE CAN BE LIMITED

After such a limitation was voted, each senator would have one hour of debate on the issue in controversy.

Under present Senate rules, debate can be limited only when two-thirds of the full Senate membership has so voted. Such a vote is virtually impossible to obtain.

The Senate liberals predict there will never be a curb on filibusters — and consequently little action on civil rights legislation — unless the rules can be changed by a majority vote at the beginning of the session.

Dixie Senators Call Save-Filibuster Huddle

WASHINGTON, Dec. 31 (UPI)—Southern senators will meet next Monday to lay plans for an all-out fight against a bipartisan move to ram through a tighter Senate anti-filibuster rule, it was disclosed today.

Sen. Richard B. Russell (D., Ga.), leader of the Southern bloc, invited his colleagues to attend the strategy session.

RUSSELL

Sen. John C. Stennis (D., Miss.) disclosed that he had returned to Washington early to join in preparations for the fight, which is expected to erupt on the Senate floor Wednesday, the opening day of the new session.

Sen. Paul H. Douglas (D., Ill.) and a group of other liberal Democrats and Republicans have served notice they will attempt to change the Senate rules to permit a majority of the Senate membership to limit debate after 15 days.

Under present rules, a vote of 66 senators—a constitutional two-thirds vote of the entire Senate—is required to choke off a filibuster, the traditional weapon of Southerners seeking to kill civil rights legislation.

Russell invited 17 of his Southern colleagues to the Monday meeting. Invitations were not extended to the senators from Texas and Tennessee, all of whom voted for the final version of the 1957 civil rights bill.

This means that Senate Democratic Leader Lyndon B. Johnson of Texas, who is trying to find a compromise solution to the dispute, will not attend the Dixie meeting.

The Southerners, who have promised a last-ditch fight against the Douglas plan, picked up a potent ally today in Veteran Sen. Dennis Chavez (D., N. M.), who told newsmen he opposed any change in Senate rules.

"The Senate has done pretty well and the country has, too," Chavez said. "I can't think of any need for changing the rules."

Russell denounced the Douglas proposal as a "snare and a delusion." He said it would enable 50 senators, with the help of the presiding officer, to prevent opponents of a bill airing their views on the Senate floor.

Johnson Mum As Filibuster Fight Begins

Democratic Senators Try in Vain to Get Leader to Talk

By Carroll Kilpatrick
Staff Reporter

A long-mounting battle against the Senate's anti-filibuster rule reached the final stages yesterday with Senate Democratic Leader Lyndon B. Johnson (Tex.) withholding all comment on what his strategy will be when the bi-partisan liberal attack starts today.

The opening day fight, which could rage for weeks and delay consideration of other measures, will be the first order of business after the swearing in of new Senators. The outcome depends in large measure on Johnson, who refused to tell even his fellow Democrats what he intends to do.

A dozen Democratic Senators who favor change went away empty handed after an hour-and-a-half meeting in Johnson's office in which they attempted to find out what his course of action would be.

"I told them I knew of no agreements and could not say what course of action would be followed," Johnson said after the meeting. He promised only that there would be no votes today.

One new element was introduced into the controversy by Sen. A. S. Mike Monroney (D-Okla.), who urged Johnson to consider the advisability of offering a modified rule of germaneness.

Under Senate rules, a Senator may speak on any subject whenever he can get the floor regardless of what business may be before the Senate. It was understood that Monroney would like to see a rule adopted to make it possible to invoke a rule of germaneness by majority vote.

This would give the leadership a tool which might be useful in choking off filibusters by holding Senators to the subject at issue. It was not known whether Johnson plans to follow Monroney's recommendation.

Sen. Hubert H. Humphrey (D-Minn.), leader of the group that requested the appointment with the Senate leader, said only that it was "a very fine meeting." Asked if anything had been accomplished, he said Johnson would have to answer any other questions.

"I think it's a mistake," Johnson said of the move by the liberals to make it possible to shut off debate by a majority of the entire Senate.

Democratic and Republican leaders of the anti-filibuster drive claimed that they have a good chance of winning the fight to amend Rule 22.

Sen. Paul H. Douglas (D-Ill.), after a meeting of the Democrats favoring reform, that he was "greatly encouraged by indications of strong sentiment" for change in the rules.

Sen. Jacob K. Javits (R-N.Y.) said after a meeting of Republicans favoring change that the prospects were "very bright" for a change of the rules.

As he did on the opening day in 1953 and again in 1957, Sen. Clinton P. Anderson (D-N.M.) will move shortly after the Senate convenes at noon that the rule be amended to permit a vote of 50 Senators to shut off debate after 15 days of debate on any issue. Present rules require two-thirds of all members, or 66.

Cooperation Shown

Douglas said the cooperation of members of the two parties in the effort to change the rule showed that modern Democrats and Republicans could work together just as conservatives of the two parties have done in the past.

Liberal Democrats welcome full discussion of the Anderson motion, Douglas said. But he said they have "high hopes the Senate will act favorably and establish its right to determine its rules free from the impossible restrictions" of the present rule.

He predicted that "a reasonable and effective change" would be made.

A bloc of Southerners led by Sen. Richard B. Russell (D-Ga.) has threatened to talk at considerable length against the Anderson motion.

Sen. John C. Stennis (D-Miss.) argued that a change in the rules as proposed by the Northerners and Westerners would lead to irresponsible legislation and more spending.

Fears for Future

"The present drive is prompted by those who seek to open the gates for easier passage of sweeping and far reaching irresponsible economic legislation," he said.

liberals announced this would not go through with an announced effort to whittle down the power of the House Rules Committee, which controls the flow of legislation to the floor.

By Coalition

The committee has long been dominated by a coalition of Southern Democrats and Republicans. The challenge to its authority withered in the face of opposition from Speaker of the House Sam Rayburn (D-Tex).

The liberal group announced it had been assured by Rayburn that the Rules Committee will not shelve legislation indefinitely, as it has sometimes done in the past.

Money and a balanced budget will be an issue all the way through this first session of the 86th Congress — a Congress with imposing, strengthened Democratic majorities. The Democratic margin in the Senate will be 64-34; in the House, 283-153.

For the first time in history, a President will be consigning his program and budget to a Congress operating for a third successive time under opposition management.

President Eisenhower will go over his plans for national defense and the legislative phases of foreign policy at a conference Monday with Republican and Democratic leaders of the two congressional chambers.

In advance of this meeting, Senate Democratic Leader Lyndon B. Johnson of Texas said the Soviet moonshot has placed in bold relief some of the challenges the new Congress faces.

"The world situation is tense," Johnson said. "There are pressing domestic problems which must be met. And overriding everything else is the need for peace in this world.

"I believe that this Congress will face up to all of the challenges, and I hope that when it is concluded the American people will be able to say that it was constructive, responsible, and dedicated to increasing the strength and prosperity of the United States."

Next Friday Eisenhower will appear before a combined Senate-House session to deliver his State of the Union message. This is the document that sketches his legislative and spending plans in broad strokes. Details will come along in the budget message around mid-January.

Eisenhower already has announced that his new budget, for the year starting next July 1, will be around 77 billion dollars, that it will be balanced, and that spending for defense will be the highest in peacetime. This means the administration plans to put something more than $40,800,000,000 into defense—perhaps as much as 42 billions.

From Eisenhower down, Republican leaders have let it be known that they will be shaking a finger of blame at the Democrats if the budget gets tilted out of balance. Some Democrats have claimed the budget is phony and unrealistic.

Senate Republicans have a family row that has to be settled before the opening gavel bangs down.

NEW CONGRESS GOING TO WORK ON WEDNESDAY

Democrats Wielding Heavy Majority; Fight Over Filibuster at Top

WASHINGTON (AP) — A Congress heavily dominated by Democrats will wade next Wednesday into a new session and into old controversies crackling around civil rights and spending.

Right at the outset, a bipartisan group will go gunning against Senate rules behind which Southern members have entrenched themselves in the past and blocked most civil rights legislation.

The prospect of a similar House fight appeared to have been averted. A small group of self-styled

North Battled For Filibuster

Minority Could Destroy Legislation Said South

'RIGHTS' ALTER VIEWS

By DAVID KRASLOW
The Commercial Appeal-Chicago Daily News Service

WASHINGTON, Dec. 31.—What a difference the civil rights issue can make.

The present North-South split on the Senate filibuster rule fight is closely related to the push for civil rights legislation. A drive is on to take away from the South the weapon it has used with repeated success to thwart civil rights advocates.

In 1926, a New York Senator and an Alabama Senator, both Democrats, also split on a proposal to weaken the filibuster rule. But the split was a complete reversal of the present pattern.

Big States Protected

Senator Royal S. Copeland of New York thought the filibuster was a good thing because it gave the big states protection from small-state rule.

Senator Oscar W. Underwood, a Southern conservative, said

the filibuster made possible the destruction by a minority of necessary legislation.

The split came on an anti-filibuster proposal by Vice President Charles G. Dawes.

Dawes said the rule then in effect placed "in the hands of one or a minority of Senators a greater power than the veto power exercised under the constitution by the President."

But Senator Copeland was concerned with the fact that each state, regardless of size, has two votes in the Senate. He named 25 states (mostly in the South and West) which he said contained less than 20 per cent of the national tax burden.

Yet, Senator Copeland said, they had enough votes (50) for majority control of the Senate.

Minority Would Control

Senator Copeland said Dawes' proposal "would give this minority in population and financial standing absolute control of the Senate."

Senator Underwood argued that talk and delay had defeated many bills. He noted the opposition argument that filibusters had benefited the people in that "vicious legislation proposed by a majority" had been prevented.

"I do not think that we stand in more danger from vicious legislation than we do from the destruction of necessary and progressive legislation (by a) minority."

There were two filibusters in 1926. A 10-day filibuster against the World Court Protocol failed. But states' rights advocates succeeded in talking to death a bill for migratory bird refuges.

Drastic Race Bill Offered

School Funds Measure Goes to Senate with Strong Backing

TALLAHASSEE, April 23 (AP)—A drastic segregation bill which automatically cuts off state funds from an integrated public school hit the Senate today with powerful backing.

Senate President Johnson of Quincy headed a list of about 10 senators who introduced the measure. It would make any state officer who spent or helped to spend money on integrated schools guilty of misfeasance.

A bill setting up machinery for the so-called parent-option tuition plan for private school operations also was introduced in the Senate as the momentum on racial bills picked up there.

Tuition Subsidy

The plan would let parents withdraw children from integrated public schools to be educated at private schools with the aid of a state tuition subsidy averaging about $290 annually.

The Senate Education Committee approved a bill by Sen. Adams of Orange Park to set up a private school accrediting board. Adams said the bill was designed to foster development of private schools.

The bill by Johnson and others is similar to a constitutional amendment proposal offered earlier in the week by Sen. Belser of Bonifay. The difference is that Belser's provides for a vote of the people before adoption of the plan.

Cites Requirements

The Johnson bill cites state constitutional requirements for maintaining a uniform system of public free schools and forbidding teaching of white and Negro children in the same school.

Then it calls untenable the position that U.S. Supreme Court integration rulings nullify the school segregation requirement of the Florida Constitution.

Signing the drastic school closing bills besides Johnson were Sens. Rawls of Marianna, Davis of Madison, Knight of Blountstown, Pearce of East Palatka, Hair of Live Oak, Brackin of Crestview, Bronson of Kissimmee, Adams and Belser.

Bill Would Fire Advocates Of Integration In Fla.

TALLAHASSEE, Fla. (AP) — Teachers who openly advocate integration in or out of the classroom would be fired automatically under a bill introduced in the Florida Senate Monday.

The bill also is broad enough that it might result in dismissal of school board members who vote to integrate a public school.

It provides for immediate dismissal of administrative or teaching personnel of public schools, junior colleges or state universities who advocate or teach anything contrary to the Florida constitution. The constitution provides for segregated schools.

Florida Passes Bill To Segregate Children By Sex

TALLAHASSEE (UPI)—A bill designed to lessen the chances of racial intermarriage if Florida is forced to integrate its schools sailed through the House Thursday without a dissenting vote.

Without debate, the House passed, 92-0, a bill authorizing the counties to segregate school children by sex.

The bill authorizes the counties to establish separate schools for boys and girls. The segregation issue is not mentioned, but Rep. Jack Inman of Orange, the author, said it probably would not be used unless the schools are integrated.

It has the endorsement of Gov. LeRoy Collins, who said he would favor it even if there were no racial problem. Collins said boys and girls apply themselves and learn more if they are separated in school.

Meanwhile, the Senate General Legislation Committee refused to hear the Bailey-Ervin parent option school plan, although chairman B. C. Pearce, Palatka, had called a special meeting just for that purpose.

The committee voted to delay any hearing until the bills, backed by School Supt. Thomas Bailey and Atty. Gen. Richard Ervin as the only legal way to prevent compulsory integration, are actually introduced in the Senate.

Bailey and Asst. Atty. Gen. Ralph Odum, on hand to urge committee backing for the four-bill program, said they will seek an individual sponsor to put them before the Senate.

Bailey and Ervin outlined the plan to the House committee last week and a subcommittee has started to work on them in that branch.

The bills permit parents to withdraw their children from integrated school and draw a $250 state subsidy toward private schooling.

Legislature Gets Last-Resort Bill To Shut Schools

Local Units Would Have Final Word

McAlpin Vows to Fight Any Collins' Veto of Race-Strife Plan

By Times-Union News Services

TALLAHASSEE, April 8. A drastic last-resort school shutdown bill was introduced in the day-old Florida Legislature today on the heels of Gov. LeRoy Collins' urgent plea that no new segregation laws be passed.

Rep. J. W. McAlpin of Hamilton County tossed in the controversial bill, which permits an election to close a school in times of racial strife.

He avowed he will fight to pass it over a gubernatorial veto, if necessary.

McAlpin's bill would allow parents or guardians of children in any "local-option unit" to shut down public schools by referendum vote to prevent integration. An election could be called upon petition of 15 per cent of school patrons residing in the unit.

Unit Defined

A local-option unit was defined as "any convenient and reasonable territorial subdivision within a county which includes within its boundaries one or more public schools." A countywide vote also would be permitted.

New features of the bill which weren't embodied in the 1957 measure provide financial assistance for pupils affected by school closings and a recall provision for school board members.

The measure would provide tuition grants to parents on the basis of the average amount of school money spent per student per year in the county.

The last-resort bill was one of three segregation measures offered today, and more are expected before the session gets much older.

Rep. Jack Inman of Orange introduced a bill to let county officials set up separate schools for boys and girls. The race issue was not mentioned, but sponsors said no school board is likely to resort to it except to offset the fear of racial intermarriage in the event integration is forced.

Reedy Bill

The much-publicized Reedy bill, appropriating half a million dollars toward a campaign by the South to "sell" the North on segregation, was tossed into both houses.

The measure, also sponsored by Sen. J. A. Boyd of Leesburg, Rep. Doyle Conner of Bradford and others, specifies the Florida money cannot be spent unless at least four other Southern states put up similar sums. It creates a five-man committee, appointed by the governor and confirmed by the Senate, to handle the publicity program.

The Senate, meanwhile, beat down, 31 to 7, attempts to set up a special seven-member race relations committee to handle nothing but segregation bills.

Sen. Harvie Belser of Bonifay said a committee of lawyer-members is needed to study all federal court rulings on segregation and screen Florida's legislation for validity.

But Senate President Dewey Johnson said the same purpose can be served by the 13-member Committee on General Legislation to which he will refer all race bills.

This committee, headed by Sen. B. C. Pearce of East Palatka, includes eight lawyer-members, and Pearce promised he will seek outside legal advice if necessary.

Opposition

Sen. Bart Knight of Blountstown interposed that a special committee might "tar" all race bills with the segregation label in the eyes of federal courts and relegate them to a swift legal death.

Only Sens. Belser, Charley Johns of Starke, Joe Eaton of Miami, James Conner of Brooksville, J. A. Boyd of Leesburg, Drew Branch of Sumatra and Newman Brackin of Crestview voted for a special committee.

House Speaker Thomas Beasley will seek authority for a similar race committee tomorrow with the backing of his Rules Committee. He said its purpose will be to screen all bills for validity and keep harebrained plans off the floor.

The House temporarily stalled a proposed rules change that opponents charged would let Beasley sidetrack segregation bills he opposes into several committees, a method often used to kill legislation.

The proposal would require a two-thirds rather than simple majority vote to change the committee referral selected by the Speaker.

After a minor floor skirmish, the House voted to put off action until tomorrow to give the membership more time to study the rules.

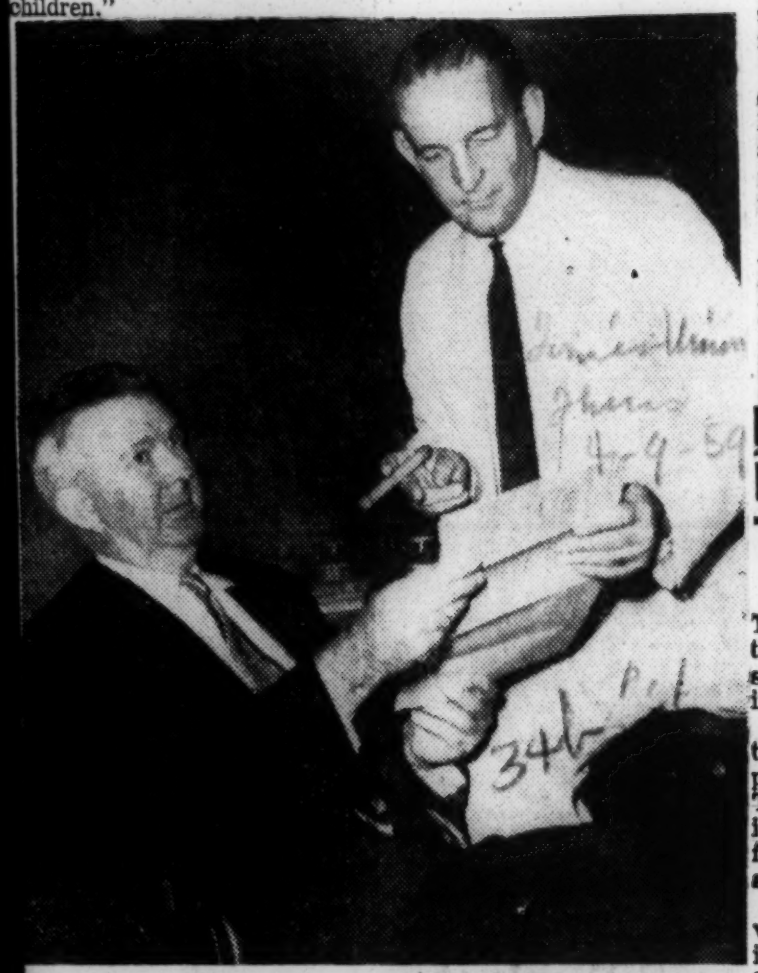
The Rules Committee had voted against recommending the change yesterday, but Beasley forces managed to switch enough votes overnight to push it through, 18-2, just before the House went into session.

Collins made his views against

the last-resort bill plain in his biennial message yesterday.

"I urge you never, never, never set up any plan or device by which our public schools can be closed," he said.

"The people of Florida want to open schools, not close them. When you put a padlock on a school, you padlock the minds of children."



LAST RESORT BILL CIRCULATES

Rep. J. W. McAlpin (left) of Hamilton County is shown displaying a copy of the last resort school closing bill to Rep. E. C. Rowell of Sumter County as the drive for drastic anti-integration laws gained headway in Tallahassee. (AP Wirephoto)

Race Bill Ups Sheriff Power

By JOHN L. BOYLES
Capitol Bureau Chief

TALLAHASSEE — The House racial bills screening committee Wednesday turned loose a bill designed to give county sheriffs equal police powers to those held by the governor in closing public recreation facilities.

The sheriff of any county of the state would be authorized to close temporarily any public beach, park or other public recreation facility within his jurisdiction.

He would be able to invoke the power "when in his discretion conditions exist which present a clear and present or probable threat of violence, danger or disorder, or at any time a disorderly situation exists which in his opinion warrants such action."

Parks, beaches or public golf courses could be closed under the bill at the sheriff's discretion to thwart attempts to racially integrate the facilities.

The bill is expected to pass since it is introduced as a committee measure.

The special committee, headed by Rep. Ben Hill Griffin of Frostproof, also released a bill allowing "any 25 or more adult persons" to form a corporation to operate a private school.

Another segregation measure —not a committee bill but introduced by Rep. Houston W. Roberts of Live Oak—would require blood banks to include identification by race of the donor of blood deposits.

Florida Senate Passes 3 Bills To Block Mixing

TALLAHASSEE, Fla. (AP) — The Florida Senate whipped through three bills Wednesday designed to throw up more barriers in the path of school integration.

The House passed and sent to the governor a bill setting up a private school accrediting board. The bill is aimed as assuring quality private education if integration forces parents to turn to private schools.

One Senate bill would ban advocacy of integration by teachers in the classroom. It was endorsed 34-3 after Sen. J. Emory Cross charged that some elementary teachers are trying to "soften up" Florida youngsters to accept integration by using school room time to extoll the virtues of Negroes. The bill went to the House.

The Senate also passed 27-9 a measure which would empower sheriffs to close public recreational facilities to prevent violence in an integration crisis. The bill previously had been passed by the House.

A third bill, sent to the House, permits county school boards to call for advisory referendums to learn public thinking in any integration crisis.

COMMITTEE ACTIONS

'Sell Segregation' Measure Clears House Funds Group

Times-Union Wire Services

TALLAHASSEE, May 27—A half-million-dollar appropriations bill to finance a drive to sell the South's racial segregation policies up North cleared the House Appropriations Committee.

Florida would spend the money only if at least four other Southern states joined with it in the move. Rep. Reedy of Lake said he has sent copies of the bill to other Southern legislatures and expects most to join in the program.

"We've got to take the offensive in telling the nation about the segregation-integration question," Reedy said. "With this program we could bring about a better understanding not only between the races but between the North and South.

A bill authorizing collection of $300 tuition from non-residents who enroll children in Florida public schools was approved by a Senate committee today.

Such measures are introduced at every legislative session but never have got very far. Chief opposition comes from persons who fear the charge would discourage tourists.

Kelly said key points in the new bill are a provision which will permit control of industrial fumes "which can reasonably be expected to be injurious" to human, animal and plant life, requiring that a cattleman and a citrus grower be members of the Air Pollution Board and making the board an independent agency within the State Board of Health.

Cemetery lot salesmen won't have to be real estate brokers if a bill approved by a Senate committee becomes law.

The measure, already passed by the House, would exempt the cemetery men from the requirement that all land sellers have real estate qualifications.

A bill creating a 33-member committee to study Florida's milk industry got approval from the House Public Health Committee today.

The proposed committee would operate under the Department of Agriculture.

The House committee killed a measure which would lower qualifications for licensing of registered nurses. The bill was opposed by the Florida Medical Assn.

A bill permitting the licensing of about six physiotherapists was sent to a subcommittee for further study. The physiotherapists claimed the intent of a 1957 law was to license all those who were practicing at the time it was passed and this was not done.

Race View Bill Veto Is Sought

LAKELAND — (AP) — The Florida Methodist conference adopted a resolution Saturday calling upon Gov. LeRoy Collins to veto a racial bill passed by the Legislature.

The measure calls for an appropriation of $500,000 to promote in northern states an understanding of the racial views of southern segregationists. W. H. Reedy of Eustis proposed the bill.

There wasn't a dissenting vote from the 1,000 delegates on the proposal to call for a veto of the bill.

The conference voted to meet at Lakeland again next year. Dates for the conference, which has met here for 11 straight years, were set at June 6-10.

Delegates reelected R. H. Berg of Melbourne conference lay leader for 1959-60.

They also selected the last of 32 delegates for next year's jurisdictional conference at Lake Junaluska, N.C. Elected Saturday were Dr. Glenn James, Tallahassee; the Rev. John J. Rooks, Fort Myers; Dr. Harry H. Waller, Sarasota; and Dr. J. M. McLeod and Dr. Robert A. Holmes, both of Lakeland.

Ten trustees for Florida Southern College were announced. Selected for terms expiring in 1961 were U. S. Sen. Spessard Holland, Bartow; and the Rev. Gaylon Howe, Ocala.

Elected for terms expiring in 1962 were the Rev. W. S. Bozeman, Miami; Robert Mitchell, Auburndale; Mrs. Louise Duncan, Tampa; Justice Campbell Thornall and J. V. Keene, both of Tallahassee; Glen McCormick, St. Petersburg; and Harris G. Sims and Dr. J. M. McLeod, both of Lakeland.

The 117th annual conference ends today. A crowd of 1,400 is expected for the final session when Bishop Arthur J. Moore delivers the conference sermon and reads the list of 525 pastoral assignments.

SCHOOLS WEAPON

Sex Segregation Plan Signed By Gov. Collins

Advertiser Montgomery, Ala.
Wed 5-27-59 pd

TALLAHASSEE, Fla. (AP) — Gov. LeRoy Collins signed the sex segregation bill Tuesday.

The measure authorizes county school boards to segregate pupils by sex to prevent interracial marriages.

Though well over a score of anti-integration bills have been introduced in the Florida Legislature, the sex segregation measure is only the second to become law.

Six racial bills are in line for consideration on the Senate floor Wednesday on the motion of Sen. Randolph Hodges of Cedar Key, strong segregationist who commented: "We've been moderate long enough."

They would:

Allow sheriffs to close public facilities to prevent racial disorders.

Require the governor to ask county school boards to transfer trouble-making pupils to other schools.

Require sheriffs to oust potential trouble makers from disturbed areas.

Allow county school boards to seek public opinion by holding advisory straw votes in areas with integration problems.

Prohibit Florida college professors from teaching at military bases if classes are integrated.

Require discharge of teachers who voice opinions contrary to the state constitution which prohibits school integration.

Florida House Passes Bill Making 'Bombing' Carry Death Penalty

TALLAHASSEE — (UPI) — The House passed by a vote of 89-0 and sent to the Senate Monday a bill which would provide for a maximum penalty of death for terrorist bombings that result in death.

The lower chamber waded through a short calendar and listened to a brief talk by former Gov. Fuller Warren before adjourning until 10 a.m. Tuesday.

The terrorist bombing bill also makes it a felony to make false reports of a bombing. The bill has the backing of the Florida Sheriff's Association and was guided to passage by Rep. Doyle E. Conner of Bradford County. There was no debate on the measure.

In other action, the House passed a bill which would set up the Stone-wall Jackson Memorial Scholarship Fund for prospective teachers.

TOO MUCH OPPOSITION

The House postponed action on a couple of controversial measures, one of which would have authorized the hiring of 200 additional highway patrolmen.

The bill has the backing of the legislative council. Sponsors said they had action on the measure postponed "because there is still too much opposition to it."

Reps. Mack Cleveland of Seminole and C. Welborn Daniel of Lake both have said they will try to kill the bill if it comes to the floor for a vote.

The House also temporarily passed up action on a bill which would exclude partners in partnerships from paying taxes on both personal and partnership stocks, bonds and cash deposits.

The House also failed to act on a bill which would take away the homestead exemption when an entire dwelling is rented.

A bill was introduced in the House which would authorize the State Road Department to adopt billboard advertising regulations complying with the Federal Highway Act of 1958.

Anti-Bomb Law Wins In Florida

TALLAHASSEE (UPI) — A bill aimed at curbing terrorist bombing of schools and churches cleared the Florida Legislature without a dissenting vote Thursday.

The Senate passed, 38-0, and sped to the governor the House bill imposing the death penalty for fatal bombings and setting stiff prison terms and fines for injuries or property damage resulting from bombings.

It even includes a five year prison sentence for "hoax" bombings.

The rigid penalty law was recommended by the governor and Florida sheriffs following bombings of schools and churches in Jacksonville and Miami, and a series of "hoax" reports throughout the state. But Sen. Newman C. Brackin, Crestview, was assured it would also cover bombings of power lines.

Holding its first double session of the four - week - old Legislature, the Senate passed out dozens of bills in rapid order, and almost without debate.

It passed and sent to the House the administration bill putting Florida's jobless pay program in 15th place in the nation, by raising maximum weekly payments to $33 and extending them to 26 weeks.

The measure also cuts off the eligibility rolls some 3,000 seasonal workers in the citrus industry by requiring 20 weeks employment to draw the jobless compensation.

Only major floor fight came with passage of the bill requiring the Cabinet to appoint a career man to head the state patrol.

The State Of Florida Addresses Its Efforts To Cease Bombings

The state of Florida which has been in the news of late as one of those states attracting a maximum in travel and new settlers, is now turning its attention to an important factor which might further its availability and enhance its usefulness as well in the field of security and permanent growth.

The Florida House passed by a vote of 89-0 a bill which would provide for maximum penalty of death for terrorist bombings that result in death. The terrorist bombing bill also makes it a felony to make false reports of a bombing.

It must be said that Florida sets a worthy example for those states in which bombing is becoming a favorite pastime. It is being used by the chronic terrorist, whose appetite is satiated by taking dynamite sticks and setting fire to them in destruction of something he does neither own nor is remotely interested in. He would appease the passions and prejudices of those whose cause would not do to come out in the open. In other words, it is the firebug of the underworld which in the end gains nothing.

Anyone knows that where there is firmly established a bombing nerve center in time there will be much widespread hazard as to spurt insurance premiums and in some instances would make it almost prohibitive because of the high cost.

The culprit who insists that "danger is his business" and would execute it through this medium, should come upon such a deterent as to dissuade him from running wild in a wanton destruction of lives and property as an evidence of an unwholesome atmosphere.

Florida is fast becoming a liberal state with those attributes of good industries, vacation centers and model climate; she is now among the states making the most far reaching increase in population.

It is regretted though that there must be specific laws to curb such a pastime as bombing. Civilization should be ashamed of an environment which would breed brands of sadistic bombers.

Florida seeks an answer. Georgia already has [illegible]

Collins Lauds Legislature For Race Bill 'Restraint'

Times-Union Jacksonville, Fla.
Sun. 6-7-59 P. 15

TALLAHASSEE, June 6 (UPI)—Gov. LeRoy Collins today praised the Legislature for its "restraint" in dealing with race problems and dropped a broad hint he would veto a half-million-dollar public relations plan to "sell" segregation to the North.

The governor said at his weekly news conference the biggest accomplishment of the 1959 Legislature which adjorned yesterday was "in what it did not do" in the field of racial legislation.

Asked if he would veto Lake Rep W. H. Reedy's plan for Florida to participate with other Southern states in a gigantic segregation promotion campaign, Collins said it might be "wise" for Reedy to delay his "expeditions" to other Southern states to drum up support for the plan.

The governor had high praise for House Speaker Thomas Beasley of DeFuniak Springs for his leadership in halting drastic segregation measures and compared him to "Horatio at the bridge."

Collins said if a plan to change the Constitution to permit the Legislature to give tax credit for private school contributions had gotten on the ballot, it would have caused tremendous injury to the state's tax structure.

He said both houses showed a high degree of restraint in race matters but he was especially proud of Beasley and the lower house.

Commends Beasley

Collins said Beasley also did a good job in leading the successful fight against an extended session.

The governor said the Legislature did a creditable job on reapportionment and in providing a sound fiscal program for the state.

"We have a green money appropriations plan," Collins said. "Expenditures have been brought in line with revenues."

He said the big failure of the Legislature was in the field of constitutional revision and he was "extremely disappointed we were unable to accomplish that."

Collins said he did not know whether he would call the Legislature into special session to act on constitutional revision but he had an open mind as to the possibilities.

The governor said he had asked the State Supreme Court for an advisory opinion on whether he would have to give up any powers by going on his scheduled 30-day trip to Russia June 23.

The Constitution states that if the governor is unable to discharge his official duties the president of the Senate takes over. Senate President Dewey Johnson of Quincy and Collins are poles apart politically.

Sees No Interference

Collins said he would not make the trip if he had to give up any of his powers because "my first duty is to the people." He said he did not see why the trip would interfere with his duties of office because he could keep in "continuous touch" by telephone and he could return by plane in a few hours if he were needed.

Collins said he would veto a bill which would remove taxes on houses which are being constructed or repaired as of Jan. 1 of each year. "The bill could wreck our ad valorem tax structure," he said.

Collins said he thought the legislators passed the bill thinking it would apply only to houses under construction but actually it also would apply to renovation work.

The governor said he was particularly pleased with the work of four freshmen senators. He singled out Sens. John Sutton, Orlando; Ed Price, Bradenton; Harry Kicliter, Fort Pierce, and George Tedder, Fort Lauderdale.

Collins said he wishes there were more women in the Legislature and he thought Rep. Beth Johnson of Orlando had done an excellent job.

He said women legislators would add to the "idealism and earnestness of purpose" of the Legislature.

Florida Governor Planks His Veto On 'South' Bill

Journal P. 2A
Montgomery Ala. Thurs. 6-18-59

TALLAHASSEE, Fla. (AP)—Gov. Leroy Collins has vetoed the bill to set aside $500,000 for presenting the South's racial philosophies to the rest of the nation in a paid publicity campaign.

"Although the plan purports to seek understanding for the South, in my judgment its effects could be to create even more misunderstanding," Collins said in his veto message Wednesday.

The bill would have authorized the expenditure only if four other Southern states came in on the publicity campaign with similar amounts.

FLORIDA

Florida Governor Vetoes Bill To Sell South's Racial View To Rest Of Nation

Advertiser Montgomery, Ala. Thurs. 6-18-59
P. 2 B

TALLAHASSEE, Fla. (AP)—Gov. Leroy Collins Wednesday vetoed a Florida bill to appropriate $500,000 for selling the South's racial philosophies to the rest of the nation.

The governor said he did not believe the bill is a sound and practical proposal and could not "approve the resulting waste of our taxpayers' money."

He noted that under the bill the money would be spent only if four other southern states joined in "a multi-million-dollar publicity campaign to present the South in a favorable light and to sell the nation on racial segregation."

Collins said he doubted any publicity campaign could be developed upon which any two states would agree.

"States, like people, differ in their conditions, their attitudes, their ambitions, their sense of responsibility" Collins said.

"United action must spring from unity of purpose. People can successfully push the same cart only if they want to go in the safe directions and aim to reach the same destination.

"That is not the case in the South today so far as segregation is concerned.

"The segregation problem, at best, is a monumentally complex and difficult one. It has been complicated by extremists who on the one hand would throw all caution to the wind in their haste to change the status quo and on the other hand, by those who would be equally irresponsible in resisting change of any kind anywhere."

He said the people of Florida have shown they want to avoid both extremes and "stand on the middle ground of reason and order under law."

WIDE RANGE OF ACTS

Senate to Weigh Racial Measures

Times-Union Jacksonville, Fla.
5-12-59 P. 27

TALLAHASSEE May 12 (AP)—The Legislature after five weeks of sparring will come to grips tomorrow with the critical integration issue.

The Senate has made a special order of business a series of proposals designed to meet the problem of mixing the races in the public schools.

The measures range from a mild bill spelling out authority for county school boards to set up separate schools for boys and girls to a constitutional amendment which would abolish public schools the day white and Negro children were taught in the same school.

Other racial bills to be considered by the Senate include another proposed constitutional change which would authorize the state to help finance private educations for children withdrawn from integrated public schools.

Other Measures

There also is a bill setting up machinery for the organization of non-profit corporations to establish and operate private schools, permit a parent to keep his child out of school if there is nothing but an integrated school available and add some of the criteria in the Alabama pupil placement act to the Florida pupil assignment act.

Only the school closure proposal is likely to bring any floor debate. Sen. Carlton of Wauchula voted in committee against sending the measure to the floor and may fight it.

To date, the Legislature has just skirted the fringes on the race issue. The Senate has passed only one race measure, a bill which would set up an accrediting board for private schools. The house has passed the segregation-by-sex bill, the measure setting up machinery for establishment of private schools and a bill giving sheriffs authority to close public recreation facilities to head off racial violence.

The house today received a bill which would require the governor to urge school boards to transfer out of a district any students whose efforts to attend school would be calculated to incite violence and to request sheriffs to remove from school areas persons whose actions might be a threat to the community.

An identical bill was introduced in the Senate earlier.

IN SENATE BILL

Right to Probe Morals Of Teachers Requested

TALLAHASSEE, April 17 (UPI)—A Senate bill introduced today would permit the Cabinet Board of Education to investigate the morals of contract teachers.

The measure was introduced by Sen. Wilson Carraway, Tallahassee, who said it was requested by the Florida Education Assn.

The bill authorizes the board to investigate any misconduct and file charges against the offending teacher. The teacher would be entitled to a public hearing upon request.

The bill gives the board investigative and subpoena powers and permits hearings by either the board or the FEA.

Carraway said there have been problems of drinking and other misconduct involving teachers on continuing contract and there was no way to get rid of them.

The Board of Education has the power to dismiss teachers for cause, but Carraway said it lacked procedural authority for getting the necessary information on which to base charges.

Other education bills were introduced in the Senate.

Sen. Randolph Hodges, Cedar Key, introduced one aimed at preventing subversive literature in Florida schools.

The measure prohibits any textbook, teacher's manual or pamphlet in schools or universities which was written by a person who has ever been a Communist or a member of any subversive organization.

The bill also bans books by persons who refuse to testify whether they are or ever have been a Communist, and books which present communism, socialism, "one world government" or "world citizenship" in a favorable light. Another measure would add three lay members to the Courses of Study Committee that selects textbooks for public schools.

The Education Committee called a meeting on school bills, numbering about 25, for 8:30 a.m. Thursday.

Meanwhile, the House Education Committee approved a bill naming 50 of the state's teacher scholarships for Confederate hero Stonewall Jackson.

Another bill approved would authorize state universities to use additional student fee money as matching funds for building con-

Florida Pushes Segregation Bill

TALLAHASSEE (UPI)—A bill designed to lessen the chances of racial intermarriage if Florida is forced to integrate its schools sailed through the House Thursday without a dissenting vote.

Without debate, the House passed, 92-0, a bill authorizing the counties to segregate school children by sex.

The bill authorizes the counties to establish separate schools for boys and girls. The segregation issue is not mentioned, but Rep. Jack Inman of Orange, the author, said it probably would not be used unless the schools are integrated.

COLLINS WILL VETO

Final-Retreat School Closing Bill Erupts Infant Florida Legislature

TALLAHASSEE, Fla. (AP)—The two-day-old Florida Legislature erupted Wednesday with a burst of activity on the explosive segregation front.

Rep. J. W. McAlpin of Hamilton County and 22 co-sponsors tossed into the House the last resort school closing bill. Gov. LeRoy Collins already has served notice he will veto it as he did last session.

A short time later the House Rules Committee adopted Speaker Thomas D. Beasley's proposal for a "general legislation committee" which would screen racial bills.

The Senate rejected 31 to 7 a move to set up a special seven-man committee to handle racial legislation. The proposal by Sen. Harvie Belser of Bonifay stirred the first hassle of the new session.

Senate President Dewey M. Johnson announced he intended to refer all integration bills to the 13-man general legislation committee.

While some legislators have complained the House Screening Committee might delay action on racial bills, Beasley said its purpose was to "prevent Florida from finding itself in a smiliar position to that of Virginia" whose racial laws were ruled unconstitutional by the courts.

The resolution calling for the committee made no mention of race. It was adopted without discussion or dissenting vote.

McAlpin's bill would allow parents or guardians of children in any "local option unit" to shut down public schools by referendum vote to prevent integration. An election could be called upon petition of 15 per cent of school patrons residing in the unit.

A local option unit was described as "any convenient and reasonable territorial subdivision within a county which includes within its boundaries one or more public schools." A countywide vote also would be permitted.

New features of the bill which weren't embodied in the 1957 measure provide financial assistance for pupils affected by school closings and a recall provision for school board members.

The measure would provide tuition grants to parents on the basis of the average amount of school money spent per student per year in the county.

Florida Has Last Resort School Bill

Backers Oppose Governor's Plea

TALLAHASSEE (UPI) — The drastic "last resort" school shutdown bill was introduced in the day-old Florida Legislature Wednesday, on the heels of Gov. LeRoy Collins' urgent plea that no new segregation laws be passed.

Rep. J.W. McAlpine of Hamilton tossed in the controversial bill, which would permit an election to close a school in times of racial strife.

He served notice he will fight to pass it over a gubernatorial veto if necessary.

The "last resort" bill was one of three segregation measures offered Wednesday and more are expected before the session gets much older.

Rep. Jack Inman of Orange introduced the bill to let county officials set up separate schools for boys and girls. The race issue was not mentioned, but sponsors said no school board is likely to resort to it except to offset the fear of racial intermarriage in the event integration is forced.

The much publicized Reedy bill, appropriating a half million dollars toward a Southwide campaign to "sell" the North on segregation, was tossed into both houses.

The measure, authored by Sen. J.A. Boyd of Leesburg, Rep. Doyle Conner of Bradford and others, specifies the Florida money cannot be spent unless at least four other Southern states put up similar sums. It would create a five-man committee, appointed by the governor and confirmed by the Senate, to handle the publicity program.

The Senate, meanwhile, beat down, 31-7, attempts to set up a special seven-member race relations committee to handle nothing but segregation bills.

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GILCHRIST SMALL LOANS BILL

Sub Loan Shark Bill Is Killed In Alabama

Defeat Tremendous Victory For Gov. Patterson

MONTGOMERY, Ala., Sept. 15. — (UPI) — A substitute proposal to the Gilchrist Small Loans Bill was killed by the House 65-33 Tuesday.

The big majority against the substitute, called the Montana Bill, was considered a tremendous victory for Gov. John Patterson.

The vote came after Representative Roscoe Roberts moved the proposal be tabled. Representative Roberts shouted, "I don't know of anything that causes more misery than the loan sharks." He said the Montana Bill would not do away with the practice of usury.

Representative Virgis Ashworth of Bib, Patterson's House floor leader, told the representatives, "It is the injunctions in the courts that has these people (small loan operators and lobbyists which filled the House balcony) here today urging you to pass a bill that would legalize their illegal traffic." he said the Montana Bill would do just that.

Previously Representative Alonzo Shumate of Waker County, a backer of the Gilchrist measure, asked for at length reading of the long substitute proposal, sponsored by Representative Charles Reynolds of Chambers County, in an effort to block its passage. It took the reading clerk nearly an hour to drone through the bill.

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HAWAIIAN STATEHOOD BILL

See Civil Rights Issue In Hawaiian Statehood Bill

WASHINGTON — (UPI) — Rep. Leo W. O'Brien (D-N.Y.) predicted that the House interior committee would stamp its overwhelming approval on Hawaiian statehood by next Wednesday.

O'Brien made the forecast at the close of three days of public hearings on the statehood bill. O'Brien, who presided at the hearings, predicted that only three opposing votes would be cast when the bill comes up for its final test in the 31-member committee.

The civil rights question crept into the statehood debate Wednesday. Rep. W. R. Poage (D-Tex.) warned that the islands faced strong opposition from states rights forces if the bill was simply designed "to pack the U. S. Senate" with two more liberal votes and "take local self government away from existing states."

He urged inclusion of Guam and American Samoa in the new state to prove proponents were "serious about wiping out colonialism" and not just playing politics and leaving the door open for more states in the future.

Rep. Francis Walter (D-Pa.), chairman of the Huose Committee On un-American Activities, appeared before the group in a surprise move to support Hawaiian Statehood.

Walter predicted statehood would give the islands power to smash the grip of "communist-dominated" unions on their economy. He said resonable Hawaiians would enact strong state anti-subversive laws.

Rep. James A. Haley (D-Fla.), long a foe of Hawaiian Statehood said he wasn't convinced that giving the islands statehood would help combat communism.

'Statehood Fever' Rising To New Top in Hawaii

Special to the Herald Tribune

HONOLULU, Jan. 17.—With the new Congress in session, "statehood fever," an occupational disease of territoriality, has reached a new pitch in the Hawaiian Islands.

While Hawaii has tried for years to convince Congress of the righteousness of its statehood plea, the ordinary citizen here has had little encouragement much of the time. As a result, enthusiasm had diminished somewhat recently.

Hawaiian Gov. William F. Quinn characterized the local feeling when he returned from Washington last summer after Alaska had been voted statehood and Hawaii passed by. He said:

"We feel somewhat like the slot-machine player who puts thirty quarters in the machine, turns around to get change and while he's away watches some one else walk over and hit the jackpot."

Now that Alaska has been admitted to the Union, however, Hawaii's people feel that they were overlooked and by-passed. And although they are happy for the new forty-ninth state, they want their own situation rectified immediately.

Talk Everywhere

There is statehood talk everywhere. Both big Honolulu dailies printed huge "statehood" sections on Jan. 1. Business leaders are discussing just how statehood will affect their enterprises. The Junior Chamber of Commerce, long sponsor of the "49th State Fair," has changed the name to "50th State Fair" and is planning a big fete next summer.

Since November, dozens of Congressmen have come here to investigate any new developments in Hawaii. Nearly all were strong advocates of statehood, and as each left he indicated assurances that this is the year. One holdout was Sen. Harry F. Byrd, D., Va., who toured the islands incognito and insisted he was here for a vacation and did not want to be disturbed.

If and when Hawaii comes into the Union as the fiftieth state, it is the local consensus that the transition from territory to state will not be very disruptive. Since Hawaii's state constitution was adopted in 1950, many of its provisions already have been incorporated in the territorial government, facilitating a future change from Organic Act to constitution.

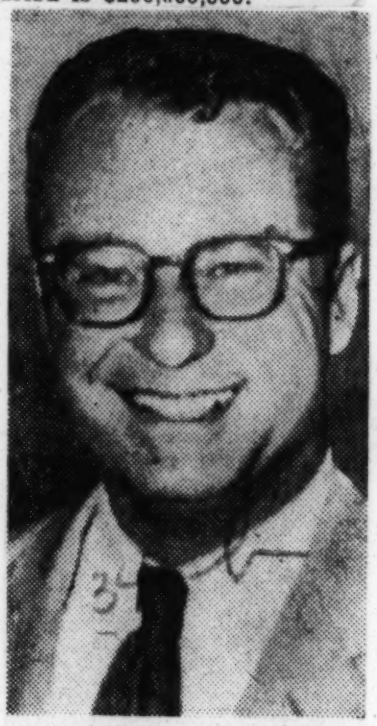
Population Tops Alaska's

Although the Hawaiian Islands cover an area of only 6,423 square miles, compared with Alaska's 586,400 square miles, the islands have a civilian population roughly three times larger than that of Alaska.

Leaders in the tourist business anticipate the greatest gain, with an already flourishing flow of tourists being joined by those who want to see the prospective new state. Last month the Sheraton hotel chain arranged to purchase Matson's hotel interests here and the Hilton company has announced the construction of a new thousand-room hotel.

Hawaii does not foresee any great upheaval in its predominantly agricultural economy. Most business leaders feel that having voting representatives in Congress will be well worth the relatively minor additional expenses which statehood will entail.

These expenses, in the case of Hawaii, consist of the salaries of the Governor, secretary, judges and legislators, all of whom are now paid by the Federal government. It has been estimated that this will cost $100,000 a year. In contrast, the proposed territorial budget for the next two-year period is $200,000,000.



Associated Press

GOVERNOR OF HAWAII —William F. Quinn.

FIREWORKS, DANCING

Hawaii Celebrates Gaining Statehood

HONOLULU, March 12 (AP)—Hawaii whooped it up with fireworks and street dancing today to celebrate statehood.

Sirens, church bells, horns, ship whistles and gunfire joined in a loud, discordant din within minutes after Congress completed passage of the statehood bill.

"This is the biggest day in Hawaii's history," exclaimed the acting governor, Edward E. Johnson. Gov. William Quinn was in Washington for the big moment.

"It is something we've waited for a long time," Johnson said.

2-Day Holiday

He proclaimed a holiday throughout the island chain at once. It will continue all day tomorrow.

Children were let out of school.

Business places shut down.

Government workers got off work.

The territorial legislature arranged to meet in joint session. Earlier it sent 600 flower leis by plane to Washington to be presented to members of Congress for voting statehood.

Offshore, U.S. Navy destroyers fired their guns.

Oahu's 52 air raid sirens wailed for five minutes.

Overhead, jet fighter planes whooshed by in tight formation. Afterburners emitted trails of smoke.

Even as the celebrations started, political bickering broke out, aimed at the first state elections.

Two Democratic legislative leaders sounded off against Republican Gov. Quinn. They called the celebrations "stupid, pointless and childish." They said the occasion was one for sober reflection and prayer.

Quinn has announced he would seek to be governor in the first state election.

It was an eventful day for Samuel Wilder King. The former governor and former delegate to Congress underwent an abdominal operation just about the time the bill passed.

Hawaii To Lose 'Private' Island With Statehood

Tiny Palmyra Used By Navy As WW II Base

By HARRISON HUMPHRIES

WASHINGTON (AP)—With statehood, Hawaii will bid a fond farewell to Palmyra Island.

The statehood bill passed by Congress requires the voters of Hawaii to accept the exclusion of Palmyra if they want to become the 50th state. There is a story behind this.

Palmyra—a tiny speck on the map 960 miles south of Honolulu—is actually a group of 52 little coral atolls arranged in a rough oval shape surrounding two or three lagoons. The biggest islet is 288 acres; the smallest, less than one acre. It is uninhabited, but habitable.

NAMED FOR SHIP

Although not a part of the Hawaiian archipelago, Palmyra has the distinction of having been adjudged by the Supreme Court to be part of the territory of Hawaii.

Leslie Fullard-Leo proved in court that he owned Palmyra and named it for the American ship that discovered it in 1802. Although he was dead when the final decision came down in 1947, his family and heirs collected $100,000 damages from the Navy for taking it over just before World War II, cutting down coconut trees, infesting it with rats and otherwise spoiling its tropical beauty.

The Navy, which didn't think anybody owned it, used Palmyra as a fueling station for aircraft and submarines, put up docks and concrete fortifications, built an airstrip on the main island and seaplane ramps.

Fullard-Leo proved to the Supreme Court that the king of Hawaii had annexed Palmyra to his kingdom in 1862. If it was part of the kingdom, the court reasoned, it became a part of the territory of Hawaii when the kingdom was annexed to the United States in 1898.

INSULTING LETTER

The Hawaii Land Court in 1912 issued title to Palmyra to Henry E. Cooper, a former Hawaii judge. Fullard-Leo, an American citizen, bought it from Cooper in 1922.

At a hearing on a previous Hawaii statehood bill in 1953, Sen. Clinton P. Anderson (D-NM) looked at a map and wondered aloud what justification there could be for including Palmyra—so far separated from the other islands—in the state of Hawaii.

Anderson addressed a letter to Leslie Fullard-Leo Jr. of Honolulu, son and principal heir to his father's estate, asking a series of probing questions which Fullard-Leo somehow felt reflected upon the honor of his family.

While still a little hot under the collar, Fullard-Leo replied to the questions in a letter, which he later acknowledged in a face-to-face meeting with Anderson might have been insulting.

Since then, every statehood bill introduced for Hawaii, including the one that awaits President Eisenhower's signature, has defined the boundary of the new state as—all of the territory of Hawaii except Palmyra.

AMERICAN SOIL

The Hawaii statehood bill reached the White House Friday, and Eisenhower has 10 days starting Saturday to act on it.

Indications are the President will sign the bill sometime next week.

Once Eisenhower signs the bill, the exact status of Palmyra will become subject to legal interpretation. Lawyers agree, however, that there is a body of law—possibly admiralty law—which will cover any crimes that might be committed there. Palmyra remains American soil.

For sentimental reasons if none other, it is considered likely that Hawaii's future senators will offer legislation some day soon to restore Palmyra to the new state.

Inept Action On Hawaii

ADMISSION OF Hawaii as the 50th state is disheartening. It shows a deplorable lack of appreciation of the realities involved. Congress voted "yes" in a spirit of "the boys want it, so let's let 'em have it," such as might be adopted by local lawmakers to appease some precinct or community on some trivial matter of local pride.

The issues involved in Hawaii's admission are not trivial. They are far-reaching in their immediate application and even more in their implication. Alaska was bad enough, but Alaska at least is on the North American mainland, though separated from the rest of the nation by Canadian territory. Hawaii is a distant overseas area, with a predominantly Oriental population. The spectacle of it having the same strength in the U. S. Senate as Alabama or any other state is cause for concern.

Beyond that is the prospect that other small island holdings will now clamor for statehood. What of Guam, Samoa, Puerto Rico, the Virgin Islands? The day may well come when national legislation will be substantially influenced by members of Congress from these insignificant and out of tune areas.

The favorable vote on Hawaii was a victory for persistence. We have all known of state or local proposals that were voted down repeatedly, and put up again after each defeat, until finally they won out through a process of attrition, sheer weariness of legislators or voters. Then, too, in the present Yankee mood, to admit Hawaii, with its Japanese and Filipino and other exotic strains, is evidence of being broad-minded. The whole added up to a defeat for common sense and the nation's best interests.

Vote of House Settles Issue

323-89 Ballot Ends Pacific Islands' 50-Year Fight to Join Union

WASHINGTON, March 12 (AP)—Hawaii, enchanting paradise of the Pacific, won statehood today.

Only a day behind the Senate, the House voted overwhelmingly to make Hawaii the 50th state. The vote was 323-89.

This "aloha" of the ballots was it, so far as Congress was concerned—a ringing answer to Hawaii's half-century of pleas and dreams for a place in the Union.

Joy and jubilation spread instantly from Washington to Honolulu by way of an open telephone line.

The statehood bill sailed through the Senate last night, 76-15. Now it goes to President Eisenhower.

There is no question of Eisenhower's signing it, or of Hawaii's accepting its terms.

Technicalities

But as in the case of Alaska last year, technicalities will take time. So it may be late July, possibly October, before Hawaii becomes a state. Territorial Gov. William F. Quinn said he is inclined to the slower schedule, but others will press for fast action.

In the sisterhood of states, Hawaii will rank 47th in size, 44th in population.

Rhode Island, Delaware and Connecticut have less area than Hawaii's 6,434 square miles. In population, the nearly 600,000 total in the island cluster surpasses Alaska, Nevada, Wyoming, Vermont, Delaware and New Hampshire.

As the roll call vote in the House hit the number required for passage, backers of statehood beamed, exchanged handshakes, pounded backs.

Across the hall, in Speaker Sam Rayburn's office, Quinn had a telephone line open to acting Gov. Edward Johnston in the islands.

Celebration Signal

"Sound the sirens!" he shouted. "Close the schools, and get going!"

That was the signal to touch off bonfires and fireworks and a two-day holiday.

Calming down a little, Quinn added:

"Try to keep the lid on a little, Ed."

Seldom has a major bill gone through Congress with the speed of the statehood measure. Apparently there was no particular urgency at the moment. It was just that the legislative channels were comparatively clear and both parties had promised admission to Hawaii.

As in the Senate, opposition was concentrated primarily among Southern Democrats.

Hawaii was Republican for many years, but the Democrats won a majority in the Territorial Legislature in 1954 for the first time in 54 years.

In 1956 a Democrat was elected a delegate to the U.S. House for the first time in 24 years.

The main arguments against letting Hawaii into the union were pinned to (1) the fact of geographical separation and (2) charges of Communist influences in the islands.

As Rep. John R. Pillion (R-NY) saw it, for example, in granting statehood to Hawaii "we actually invite Soviet agents to take seats in the U.S. Congress."

A member of the Committee on Un-American Activities, Rep. August E. Johansen (R-Mich), told the House it is unwise to bestow statehood on noncontiguous territory. And he voiced a hope statehood never could be used by the Reds to endanger Hawaii or the United States.

The chairman of the committee, Rep. Francis E. Walter (D-Pa), had a reply to the communism issue.

Union Question

"Now there is no question," Walter said, "but that the Communist unions have a very strong hold on the economy of Hawaii."

There is no question, he said, that the International Longshoremen's and Warehousemen's Union headed by Harry Bridges and "under the direction of Jack Hall exercises influences far beyond the normal, legitimate influences of labor leaders."

He said the influence is felt in politics and the union is in a position to "cripple our fleet."

But Walter said he is sure of the patriotism of the people of Hawaii and that "the hold of Mr. Hall on the economy will be broken for all time to come" once Hawaii is welcomed into the Union.

"I ask you as a security move," Walter said, "to enact this legislation to the end that these people will throw off the yoke of those who are so strong and powerful."

The Hawaiian delegate in Congress, Democrat John A. Burns, brought debate on the bill to a close amid a round of heavy applause.

Hawaii will prove, Burns said, that "the thing you are doing will be a great thing in the annals of American history and of man."

The Hawaiian population was only 23 per cent Caucasian in the last census. Many of the islanders are of Oriental extraction and supporters contended that statehood would enhance American prestige in the Far East.

One amendment was served up and batted down before the House voted on the statehood bill. That one was designed to head off separate statehood for any other Pacific islands, such as Guam, by saying they could join the state of Hawaii if Congress consented.

On the vote on passage, 203 Democrats and 120 Republicans teamed up against 65 Democrats and 24 Republicans. Nearly all of the Democratic opponents were from the South.

Five Florida Representatives voted for and three against statehood for Hawaii. Favoring the bill were Bennett, Fascell, Herlong, Rogers and Cramer. Against were Haley, Matthews and Sikes.

But backers of the measure recruited Southern support in a key spot. Speaker Rayburn once had said that Hawaii would get statehood over his dead body. Today he switched in a formal statement issued while the debate was on.

"My congratulations to Hawaii," Rayburn said. He noted that he opposed the bill in the past "when I felt Hawaii was not ready for statehood." But he said that now the territory deserves membership in the Union and "will be an asset to the United States."

Under the statehood bill, Hawaii must vote on whether to accept its terms. These are specific provisions about boundaries, land grants and allowing Hawaii one instead of two House members.

While there was dancing in the streets in Hawaii, Democrats were even kissing Republicans in gay impromptu celebrations at the U.S. Capitol immediately after the statehood vote.

Hawaii's Democratic national committeewoman, Dolores Martin, greeted Republican Gov. Quinn with a traditional kiss on the cheek as she placed an orchid lei around his neck.

Quinn duplicated the performance in greeting Chairman Wayne N. Aspinall (D-Colo) of the House Interior Committee and Chairman Leo W. O'Brien (D-NY) of the Territories subcommittee.

Deep South Foiled on Hawaii

WASHINGTON — Deep South Dixie Democrats fought to their last rebel yell, against statehood for Hawaii and rallied 14 votes.

Only one border state, Senator Butler of Maryland, voted against Hawaii.

Southerners [illegible] fought against admission of Hawaii, because of its racial composition. The population of Hawaii is made up as follows:

	% 1958	Number
Hawaiian (Pure)	2.0	11,390
Part Hawaiian	16.0	91,120
Caucasian (White)	25.0	142,376
Chinese	6.0	34,170
Filipino	12.0	68,341
Japanese	35.0	199,326
Korean	1.3	7,404
Negro	.5	2,848
Puerto Rican	1.8	10,251
Other	.4	2,278
TOTAL		569,504

Senators who voted against Hawaii, exclusive of Butler, were Byrd of Virginia, Eastland of Mississippi, Ellender of Louisiana, Fulbright of Arkansas, Hill of Alabama, Johnston of South Carolina, McClellan of Arkansas, Robertson of Virginia, Russell of Georgia, Smathers of Florida, Sparkman of Alabama, Stennis of Mississippi, Talmadge of Georgia and Thurmond of South Carolina.

In reality, these Senators were not voting against the Hawaiians —they were demonstrating once again their fear of the American Negro and of admitting into the Union any groups which might believe in first-class citizens for all American citizens.

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HOUSIN BILL

Ike Wins New Round As Housing-Bill Veto Is Upheld In Senate

Journal Louisville, Ky. Sat. 9-5-59

But Another Public-Work Battle Looms

By ROBERT L. RIGGS
The Courier-Journal Bureau

Washington, Sept. 4.—President Eisenhower Friday won another round in the continuing battle of the veto.

The Senate fell five votes short of approving, over the President's objections, its revised version of a housing bill. The measure had been written after the chamber failed by nine votes on August 12 to override Eisenhower's veto of the first housing bill.

Undeterred by this second presidential victory in three days and showing a willingness to absorb punishment that was missing in the earlier part of the session, the Democrats on the House side returned to the fray.

Committee Is Defiant

In defiance both of the President and of their Democratic chairman, a majority of the House Appropriations Committee sent back to the House the public - works - appropriations bill on which Eisenhower's veto was sustained Wednesday by one vote.

The committee refused to remove from the bill appropriations for start of construction on 67 new rivers and reclamation projects which the Bureau of the Budget had not approved.

Devotion of Republican congressmen to Eisenhower brought sustaining of his first veto of the housing bill, David Lawrence says on Page 7.

Instead of removing the 67 new starts, the committee voted, 19 to 17, to keep them in the bill, but to reduce every item in the measure by 2½ per cent. While that brings the cost of the measure under the figure approved by the Budget Bureau, it does not meet the President's objections.

Delay Is Probable

His complaint is that the new unbudgeted projects would, in a few years, cost the Federal Government an additional $800,000,000.

The Appropriations Committee majority had hoped to get action on the House floor Saturday for the revised public-works bill. But Minority Leader Charles A. Halleck, who engineered the President's surprise one-vote victory Wednesday, was expected to invoke the rule which would delay consideration until Tuesday.

What happens to the housing measure remains unsettled. During the debate, John Sparkman, chairman of the Banking and Currency Committee's subcommittee on housing, warned there would be no housing legislation at all this session unless the Senate overrode the veto.

Projects Here Pending

(Louisville's redevelopment program is believed to hinge on passage of a housing bill, according to City Consultant Roy Owsley.

(The City has already obtained federal approval for its Southwick redevelopment project in southwest Louisville. But its application for federal aid on its two main redevelopment projects, both in the central part of the city, is still pending.

(One of the projects covers the area in and around the Medical Center on the east side of the downtown district. Currency Committee has been called to consider a substitute bill Saturday morning, he sees no hope of any legislation this session. The Alabama senator said Chairman Albert Rains of the housing subcommittee in the House had agreed to drop the matter also.

In spite of Sparkman's warning to the Senate, the vote on overriding was 58 to 36, five short of the required two thirds. Six Republicans left the President on the issue. They were Cooper of Kentucky, Beall of Maryland, Capehart of Indiana, Javits of New York, Langer of North Dakota, and Scott of Pennsylvania.

Eight Southerners joined Lausche of Ohio to give the President Democratic support. They were Byrd of Virginia, Eastland of Mississippi, Holland of Florida, McClellan of Arkansas, Russell of Georgia, Stennis of Mississippi, Talmadge of Georgia, and Thurmond of South Carolina. Kentucky's Morton was among the Republicans who supported the veto.

The first housing bill rejected by the President called for $1,375,000,000. The second was whittled down to $1,050,000,000 and the Democrats who constructed it claimed they had met the objections offered by the President to the first one.

But in his veto message, signed in Paris Thursday, Eisenhower objected to features other than the amount involved. The Chief Executive called upon the Senate to try a third time to enact a "sound" measure.

'Highly Objectionable'

The revised measure carried two new programs which the President found "highly objectionable." One would have provided direct loans to colleges for construction of classrooms and related facilities. The other would have provided direct loans to supply housing to elderly persons.

The President said the college program would displace investment of private capital and would amount to federal aid to education in an objectionable form. He also said a program for housing the elderly already is working well at no cost to the taxpayer.

Eisenhower also objected to authorizing 37,000 new units of public housing and $650,000,000 of federal grants to cities for urban renewal.

Wants Ceiling Removed

In calling on Congress to make a third effort for housing legislation, the President said: "It does not help the housing industry for the Federal Government to adopt measures that, in these times, would increase inflationary pressures on our economy and thereby discourage the thrift on which home financing is heavily dependent."

In its new effort, the President said, Congress should remove the ceiling on Federal Housing Authority mortgage insurance, extend the Federal Housing Agency home-improvement program, enact reasonable authorizations for urban-renewal grants and college-housing loans, adjust the interest rates on college-housing loans, extend the voluntary home-mortgage-credit program, and adjust the statutory interest rates ceilings on F.H.A.-insured mortgages for rental and co-operating housing programs.

On the public-works front, the rebellious Democrats on the Appropriations Committee had to inflict a defeat on Chairman Clarence Cannon before they could demand a second showdown with President Eisenhower.

When the committee met Friday morning, Cannon moved that, with the exception of the Trinity River project in California, the 67 new starts be stripped from the bill as the President requested.

On that motion the chairman lost, 20 to 16. One of the rebels, Michael Kirwan of Ohio, then moved that all the items be retained in the bill, but that each be cut 2½ per cent.

Natcher Supports Him

Supported by William H. Natcher, Bowling Green, Ky., one of the leaders of the rebelling faction, Kirwan carried his point, 19 to 17.

The 2½ per cent reduction would reduce the bill's total to $1,185,140,863. Kentucky, which gets the second largest share—next to California—would be cut to $64,397,775. The money alloted for a new Kentucky project, Barren River Reservoir No. 2 near Scottsville, would be sliced to $975,000.

A Virginia project, Pound River Reservoir, which would help control floods in Kentucky's Big Sandy River Valley, would be reduced to $2,437,500. Because of the effect on Pound Reservoir on Kentucky, Natcher, Representative Carl D. Perkins, from East Kentucky, and Senators John Sherman Cooper and Thruston B. Morton have taken as much interest in it as has the Virginia representative in whose district it lies, W. Pat Jennings.

Group Supports Rebels

Pound is one of 46 projects put into the bill by the House committee over the objections of the Budget Bureau.

The Rebels on the Appropriations Committee were supported by a meeting, going on simultaneously with the committee session, of representatives from 17 states affected by the public-works bill.

That group sent word to the Appropriations Committee that if the rebels failed in their purpose, the same effort would be made on the House floor.

Democrats Put Across Housing Bill

House Approves Omnibus Measure In 261-160 Vote

By Robert C. Albright
Staff Reporter

Democratic leaders yesterday pushed through the House a 2.1-billion-dollar omnibus housing bill, including provisions for 140,000 new public housing starts, after turning back all but one coalition assault on the measure.

The passage vote was 261 to 160.

The big bill goes next to a House-Senate conference committee to work out differences with the 2.69-billion-dollar bill passed by the Senate.

GOP Outmaneuvered

GOP leaders, outmaneuvered on nearly all counts by the Democratic leadership, said the bill is now heading for an almost certain presidential veto, no matter what happens in conference.

Democratic leaders suffered only one serious reverse, and political cynics believed this change of pace was intentional. It occurred when the House approved by a 222-to-201 record vote an amendment by Rep. Albert Thomas (D-Tex.), cracking down on the long-time practice of letting Federal agencies go directly to the Treasury for money. Under its terms Federal housing officials would have to justify before the congressional appropriations committees some $4 billion in Treasury advances for housing.

Republicans charged flatly that there was a Democratic "deal" on to eliminate the Thomas amendment in conference. They suggested the amendment was retained in the bill to keep its Southern Democratic supporters from bolting to the watered-down coalition compromise on the final GOP recommit motion.

Redrafting Rejected

Promptly after adopting the Thomas amendment the House rejected, 283 to 139, a Republican motion to send the bill back to committee for redrafting along lines of the coalition's 1.3-billion-dollar Herlong substitute. This would have omitted public housing and scaled down other programs. The nearly party-line passage vote followed.

In addition to the 4-year program of additional low-cost public housing, the bill as it passed included a 3-year, 1.5-billion-dollar program of slum clearance and urban redevelopment, $400 million for college housing loans, $100 million for housing for the elderly and lower down payments on Federad Housing Administration home mortgages. It also would replenish the FHA's depleted mortgage insurance authority, with an additional $10 billion authorization.

Southern Democrats held the balance of power in the 3-day passage struggle and both Northern Democrats and Republicans frankly bid for support of enough Southerners to carry the day. The Administration bid first by throwing it's full support behind the Southern-sponsored, coalition compromise. Democratic leaders succeeded in minimizing the Southern split, however, by going to conference with the Southern-backed Thomas amendment, and making other gestures to the South.

Perhaps the most drastic gesture was made by Northern Democratic liberals when Republicans attempted a showdown on the touchy civil rights issue. Rep. John F. Baldwin (R-Calif.) offered an amendment to outlaw discrimination in public housing rentals.

A similar amendment in the past by Rep. Adam Clayton Powell (D-N. Y.) had split the Democratic House vote and wrecked more than one House education bill.

Staving off a similar crack-up on the housing bill, Powell joined with three other Negro members of the House, Reps. William L. Dawson (D-Ill.), Charles E. Diggs (D-Mich.) and Robert N. C. Nix (D-Pa.), to lead the procession of Democrats voting "No" on the Baldwin amendment. Members cheered and applauded as the procession started through the tellers. The amendment wa defeated, 205 to 115.

The Democratic bill, chiefly authored by Rep. Albert Rains (D-Ala.), crossed another high hurdle earlier in the day when Rep. William M. Colmer (D-Miss.) moved to strike out all provisions for public housing. This amendment has been dynamite to past housing bills but yesterday's coalition support of it fizzled out. The vote to reject it was 175 to 91.

One reason, that seemed obviocs from the gallery, was that Republican leaders did not wish to water down the Rains bill too much, before the recommittal test with the coalition's own substitute. Their best chance lay in a showdown between a big bill and a little bill. But on the showdown the big bill won anyway.

In the roll call choice between the 2.1-billion-dollar Democratic sponsored Rains bill and 1.3-billion-dollar Republican (coalition) substitute, the Democratic bill won 233 to 189.

Voting for the substitute were 129 Republicans and 60 Democrats, mainly from the South. Voting against the substitute were 214 Democrats and 19 Republicans.

Conferees Reduce Giant Housing Bill

Measure Trimmed To Avoid Eisenhower Veto

WASHINGTON, June 18. — (AP) — Senate-House conferees late Thursday agreed on a compromise $1,375,000,000 omnibus housing bill. The amount, less than either the House or Senate had voted earlier, was trimmed in an obvious effort to avert a veto by President Eisenhower.

Senator John Sparkman (D., Ala.), head of the Senate conferees, said the measure also was below the total originally asked by Mr. Eisenhower and that the President should sign it.

Some Republicans disputed this and insisted the compromise went well beyond what the Administration wanted. They refused to sign the conference report.

On the other hand, two Democratic senators, Joseph S. Clark and Paul H. Douglas, said they were inclined not to sign because not enough authority was provided for slum clearance projects.

The conferees cut down the totals in the bill largely by reducing the number of years the various projects are authorized to continue.

Drop Fight On Housing Bill Veto

Senators Yield, Draft New Plan

By Rowland Evans Jr.

WASHINGTON, Aug. 4. — President Eisenhower's housing-bill veto was accepted without challenge in Congress today, despite the thrusts against it by Democratic leaders last month.

The Senate housing subcommittee voted 5 to 4 not to try to overturn the veto. Sen. Lyndon B. Johnson, D., Tex., the majority leader, will be guided by the subcommittee, headed by Sen. John J. Sparkman, D., Ala. The reason for yielding without a fight was the obvious one: those who want to override the veto fear they cannot gain the required two-thirds vote.

After voting against a motion of Sen. Paul H. Douglas, D., Ill., to override the veto, the subcommittee then completed its draft of a substitute not very different from the original but different enough, in the words of one Democrat, "to save the President's face when he signs it."

Wants Dozen Bills

The housing bill is one of several blocking adjournment of the first session of the Democratic Eighty-sixth Congress. After a conference with the President, Sen. Everett M. Dirksen, R., Ill., the Republican leader, listed nearly a dozen bills that he said the President wants Congress to enact before quitting for the year.

At the top of the list is legislation on civil rights, labor-reform, government-bond interest rates and the interstate highway program, as well as housing. This was the picture tonight:

1. The House Judiciary Committee, on a non-partisan vote, killed the President's proposal to put Congress on record with a declaration indorsing the 1954 Supreme Court decree outlawing school segregation as "the supreme law of the land." Offering the motion to kill this section, according to committee sources, was Rep. William M. McCulloch, R., Ohio.

House Bill Faces Delay

Rep. McCulloch and others opposed to this declaration of principle held that its approval would simply jeopardize another part of that section of the civil rights bill. This would empower the Federal government to assist local communities with their anti-segregation programs. An effort to defeat it today was beaten by a close vote.

The House bill may be approved by the committee this week. It then faces a long delay in the Southern-dominated Rules Committee, before moving to the floor. In the Senate, a companion bill is making slow-but-sure progress through the Senate Judiciary Committee.

2. Sen. Johnson assailed what he called "fake, phony, hypocritical charges" and "Madison Ave. propaganda" that the Democratic Congress is cracking the Eisenhower budget ceiling.

Sees Cuts by Congress

Far from it, Sen. Johnson told the Senate in high indignation. The fact is, he said, that the present session of Congress will clip "hundreds of millions of dollars" from the Eisenhower budget estimates. Virtually all but two money bills have already been sent to the White House and impartial studies indicate that Sen. Johnson is not far wrong.

The Majority Leader blasted what he called the "prejudiced press" and said the time had come to "expose" the fraud so completely that even newspapers with Republican leanings would want to report the facts. The battle of the budget has been a central feature of the session.

3. The Senate Public Works Committee approved a bill to delete an objectional proviso that has threatened to kill the T. V. A. self-financing bill now on the President's desk. This bill must be signed or vetoed this week, but the President has postponed action because he says the bill by-passes the executive branch of government in setting up controls over the Tennessee Valley Authority's construction program.

Whether the last-second effort to meet the President's objections could succeed was uncertain.

Objections Met

The total of new obligational authority in the housing bill approved by the Sparkman subcommittee was $1,050,350,000 as compared to $1,375,400,000 in the vetoed bill. Major dilutions to meet the President's characterization of the original as "extravagant" and "excessive" included the following:

For urban renewal, the new bill authorizes $550,000,000, with an additional discretionary fund of $100,000,000 for small cities. The old bill carried $900,000,000 for two years.

For public housing, the new bill carries 37,000 units in new authorizations, but permits to be deducted from this amount any unused authorizations from previous years transferred to other cities. The vetoed bill would have authorized a grand total of some 190,000 units. The President want-

ed none at all.

For college dormitories: $250,000,000 in direct loans, cut from $300,000,000 in the vetoed bill; for college classrooms, $50,000,000 instead of $62,500,000; for housing for the elderly, $50,000,000 in direct loans, no change. The new bill, unlike the old, fails to extend to thirty-five years the present thirty-year maximum amortization period for F. H. A.-insured home loans.

Senate Risks New Veto of Housing Bill

Passage Seen Today For Measure Which President Opposes

By J. A. O'LEARY
Star Staff Writer

The Senate is all set to pass a second housing bill today, smaller than the one President Eisenhower vetoed, but still unsatisfactory to the administration.

Defying threats of a second veto, the Senate yesterday defeated four attempts to bring the new bill closer to the President's recommendations.

The Senate twice refused to knock out the new $50 million program of loans for college classroom construction.

An attempt to cut the number of public housing units from 37,000 to 25,000 also failed. The vetoed bill authorized 45,000 new units. The President is against any new starts this year.

FHA Insurance at Issue

The fourth failure was an attempt to extend the insuring authority of the Federal Housing Administration until October, 1961 instead of 1960. This provoked a political debate over whether Congress should pass another housing bill next year on the eve of the election.

Democrats figured that if the authority of FHA to insure private mortgages was extended for two years, they would have little chance of passing another housing program in 1960, containing urban renewal and public housing funds.

With many members of Congress hoping for adjournment August 29—10 working days from now—the Democrats may put Mr. Eisenhower in a position that would make it difficult for him to veto this second housing bill.

Speed Is Important

The President has 10 days in which to sign or veto a bill. If it reaches him a day or two before adjournment, he would have to veto it immediately in order to return it to the Senate, where it originated. If Congress went home while he was considering it, he would have to sign it or leave FHA without authority to insure new private mortageges.

FHA is already issuing commitments to insure in lieu of insurance on new houses, pending passage of the bill, which adds $10 billion to the amount of mortgage insurance FHA may have outstanding.

The Senate may make some changes today in a comparatively minor section of the bill which directs the Government to buy housing units that were built by private builders on Government land at military posts.

Senator Harry F. Byrd, Democrat of Virginia, attacked the provision yesterday. He said the Budget Bureau informed him this provision, which was not in the vetoed bill, will cost between $70 million and $80 million over the next two years.

Fight Classroom Bill

Opponents of the provision argued that it makes the impact of the new bill on the 1960 budget greater than the immediate cost of the vetoed bill.

Senator Robertson, Democrat of Virginia, chairman of the Banking Committee, and Senator Bush, Republican of Connecticut, led the fight to strike out the college classroom loans. They argued that this was the beginning of a new phase of housing activity that will grow with each passing year.

Senator Robertson's move to knock out the classrooms failed 53-40. Senator Bush then failed in an attempt to transfer the $50 million from classrooms to the existing college dormitory housing program.

Backed By Democrats

New Housing Bill Gets Top Priority In House

WASHINGTON (AP)—With powerful Democratic backing, a huge new housing bill was introduced in the House Thursday. Among other things, it would lower required down payments on government-issued home mortgages.

The multibillion-dollar bill would provide an expanded slum clearance program and many other features, including increased authority for the federal housing administration to insure home loans.

Gets Top Priority.

The measure was given top priority for consideration by the House. It also got a strong boost from Speaker Sam Rayburn (D-Tex). He told newsmen he regarded it as a good measure. Strong Republican opposition is likely.

The bill was introduced by Rep. Albert Rains (D-Ala), who said it will "help us step up our fight on slums, prevent a slump in the home-building industry, and provide better housing for low-and middle-income families."

Rains is chairman of a Housing subcommittee which will act first on the legislation.

The Democratic - sponsored measure is a new version of a bill that was killed by the House late last session. That 1958 bill was fought by President Eisenhower and in some respects the new one goes well beyond a measure introduced by House Republicans last week. Those Republicans said their bill reflects Eisenhower's current housing plans.

In a number of ways, the Democratic housing bill falls short of provisions in a many-sided measure being pushed by Democrats in the Senate.

The Rains measure would increase the Federal Housing Administration's mortgage insurance authority by an unspecified amount. Rains said it is impossible now to determine an appropriate figure. That will be done in hearings, set to begin soon.

The Republican-sponsored bill in the House would provide an immediate six-billion-dollar boost in a mortgage insurance authority. The Senate Democratic bill would top that by two billions.

Under the Rains bill, required down payments on FHA-insured home mortgages would be lowered from 15 to 10 per cent in the $13,500-$18,000 bracket and from 30 to 25 per cent in the level above $18,000.

In addition, the maximum mortgage eligible for FHA insurance would be increased from $20,000 to $25,000 for single family homes.

Big Housing Bill To Test 'Ike's' Economy Stand

Multi-Million Dollar Plan Offered In House Has Strong Support

VETO BELIEVED LIKELY

Measure Would Aid Slum Clearance And Provide More Public Facilities—Senate Maps Program

By TOM NELSON
United Press International Staff

WASHINGTON, Jan. 15. — House Democrats with powerful backing introduced a multi-billion dollar housing bill Thursday that appeared certain to collide head-on with President Eisenhower's demands for economy from the new Congress.

The measure, unveiled by Chairman Albert Rains (D., Ala.) of the House Subcommittee on Housing, was even more ambitious than last year's unsuccessful package housing bill.

The 1958 bill passed the Senate and just missed getting House approval despite warnings that the President would veto it. With the emphasis on economy even stronger this year, Mr. Eisenhower was expected to recommend no new expansion in the housing field.

Possible Political Issue

Republicans immediately hinted the President would veto the Rains bill, if it reached him in its present form.

Representatives William B. Widnall (R., N. J.) and Gordon L. McDonough (R. Calif.), both members of Rains' subcommittee, said Democratic sponsors might even be hoping for a veto to create a political issue.

The Rains bill, carrying subsidies for slum clearance, expanded public housing and Federal loans for college dormitories and homes for the aged, may be the first major legislation before the House this year. Housing also is getting top priority in the Senate.

Rains checked with Speaker Sam Rayburn (D. Texas) before introducing the bill. The speaker was reported to believe it was a good bill.

The bill would permit Federal spending of about three billion dollars in the next three years for grants, loans and mortgage purchases. But because the bill provides for outlays other than direct spending, such as loans, it carried no exact price tag.

Supporters Claim Votes

The bill appeared to fall somewhere between two housing measures introduced in the Senate. It was larger than a bill sponsored by Chairman John Sparkman (D., Ala.) of the Senate Housing Subcommittee, but smaller than a program proposed by a group of Northern liberal senators.

Supporters of a bigger Federal public housing program said they have the votes to win in the House this year for the first time in a decade.

The Rains bill would authorize new public housing commitments at the rate of 35,000 units a year. Depending on follow-up action, it would permit total new units of 200,000 to 400,000 a year.

Housing Bill Introduced

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The multibillion-dollar bill would provide an expanded slum clearance program and many other features, including increased authority for the federal housing administration to insure home loans.

The measure was given top priority for consideration by the House. It also got a strong boost from Speaker Sam Rayburn (D-Tex). He told newsmen he regarded it as a good measure. Strong Republican opposition is likely.

The bill was introduced by Rep. Albert Rains (D-Ala), who said it will "help us step up our fight on slums, prevent a slump in the home-building industry, and provide better housing for low-and middle-income families."

Rains is chairman of a Housing subcommittee which will act first on the legislation.

The Democratic - sponsored measure is a new version of a bill that was killed by the House late last session. That 1958 bill was fought by President Eisenhower and in some respects the new one goes well beyond a measure introduced by House Republicans last week. Those Republicans said their bill reflects Eisenhower's current housing plans.

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MORTGAGES LOWERED

Under the Rains bill, required down payments on FHA-insured home mortgages would be lowered from 15 to 10 per cent in the $13,500-$18,000 bracket and from 30 to 25 per cent in the level above $18,000.

In addition, the maximum mortgage eligible for FHA insurance would be increased from $20,000 to $25,000 for single family homes.

The present one-half per cent minimum insurance premium would be cut to one-quarter per cent and the present 30-year maturity period would be extended to 35 years.

For slum clearance and urban renewal, the present 1½-billion-dollar capital grant authorization would be boosted by 500 millions a year for three years. The Republican bill calls for 100 million dollars of new money for this purpose. The Senate Democratic bill would authorize a vast $2,100,000,000 program at a rate of 350 millions a year for six years.

MORTGAGE PURCHASE

The Rains bill would give the Federal National Mortgage Assn. another 500 million dollars for buying FHA and GI mortgages. All such mortgages would be purchased at par. The bill further would increase from $15,000 to $18,000 the maximum mortgage FNMA's mortgage buying authority for two years, but no over-all dollar figure was mentioned. It would raise the individual mortgage limit to $20,000.

The House measure would provide for 35,000 additional low rent public housing units. The Senate bill calls for 17,500 new units of such federal subsidized housing. The GOP-backed bill in the House makes no mention of public housing.

Democrats Pull Back On Housing Bill Amended To Avert Veto

By Rowland Evans Jr.

WASHINGTON, Feb. 5 — Powerful Senate Democrats retreated today in a maneuver designed to rule out a Presidential veto of housing legislation.

The retreat, engineered by Sen. Lyndon B. Johnson, Tex., the Majority Leader, came shortly before the Senate reached a final vote on a pared-down housing bill.

The Majority Leader arose to propose changes in the bill that brought it within $135,000,000 of the President's own housing measure, in so far as it would affect spending in the new fiscal year, starting July 1.

"We hope we can get some housing out of the bill and not an issue," Sen. Johnson told the Senate during debate between the "budget-busters" and the "budget-firsters."

The maneuver of retreat and accommodation, following private discussions this week between the Majority Leader and the President, was seen as solid evidence that Sen. Johnson will take pains to keep the Republicans from pasting a label of fiscal irresponsibility on his party. On the housing bill, at any rate, his strategy has been to permit just enough increases to dramatize the Democratic program, but not enough to draw a Presidential veto.

Veterans' Loans Cut

These were the compromise actions agreed to by Sen. Johnson over the strong protest of the liberal wing of his party in the Senate:

1. Reduction to $150,000,000 in the program of direct loans to rural-area veterans unable to obtain conventional G.I. home-loan financing. The amendment was adopted late last night.

2. Reduction from $400,000,000 to $300,000,000 in the program of direct loans to colleges to finance college dormitories and other college housing. The amendment also deleted authority in the Democratic-sponsored bill for a $125,000,000 program of government-guaranteed loans for college classrooms and laboratories, but left untouched an equal amount designed for direct loans for classrooms.

For the rest, amendment after amendment to reduce the bill was defeated .Likewise, major efforts by the Northern, big-city Democrats and some Republicans to expand the bill's slum-clearance section also had no chance.

Public Units Reduced

Some of these amendments died on voice votes, some on roll calls. By 53 to 39 the Senate beat an Administration motion to reduce public housing units from 35,000 to 17,500.

On another rollcall, an Administration amendment to replace the broad slum-clearance program with the more modest Eisenhower proposal lost, 56 to 34.

The political impact of the President's stern warning against continued deficit spending was watched closely in the Senate today. From the results of the voting, it seemed clear that the Democratic leader's policy would be to avoid Presidential vetoes wherever possible, even at the risk of a possibly serious break with the most vigorous Northern Democratic liberals.

Sen. Johnson at one point got into a shouting exchange with Sen. Barry M. Goldwater, Ariz., a Republican conservative. Sen. Goldwater asserted: "The wild-riding spenders are riding high again, the four horsemen of bankruptcy—deficit, debt, inflation and waste."

Sen. Johnson retorted that "no party has a monopoly on saving or spending."

Northern Republicans, however, showed signs of impatience at the Administration's preoccupation with a balanced budget. Sen. Jacob K. Javits, R., N. Y., asked Secretary of the Treasury Robert B. Anderson whether the Administration's "main tenet of faith" had changed now from "a peaceful, secure and effective" nation to a "balanced budget."

Secretary Anderson, testifying before the joint Congressional Economic Committee, replied that living within its means did not mean the country would not spend "to attain desirable objectives."

He denied that he was "obsessed" with concern about inflation, virtually ruled out a tax cut in the foreseeable future and said he would seek higher taxes if additional revenue for defense were needed.

Senate OKs $2.6 Billion Housing Bill

Slum Clearance Wins Approval in 6-Year Program

WASHINGTON, Feb. 5 (UPI)—The Senate approved a Democratic-sponsored $2,675,000,000 six-year housing bill tonight after making cuts totaling $250,000,000 as a concession to the economy pleas of President Eisenhower.

The vote was 60 to 28.

Despite the reductions, the bill totaled about a billion dollars more than the President requested for housing, slum clearance and related programs over periods of up to six years.

TWO DAYS OF DEBATE

Final passage of the catch-all legislation came at a night session climaxing two days of highly charged political debate on the housing issue.

The bill was approved following rejection of a last-ditch attempt by Sens. A. S. Mike Monroney (D., Okla.), Albert Gore (D., Tenn.) and other Democrats to eliminate a provision to raise the maximum interest rate on housing loans to veterans from 4¾ to 5¼ percent.

Monroney said the higher rate would add $6.10 a month to the cost of buying a $13,000 house on a 30-year mortgage. But Monroney's proposal to freeze the rate at its present level was rejected by a vote of 58 to 27.

GOES TO HOUSE

The bill goes to the House, which approved a single shot measure yesterday to increase the GI interest rate and to provide 300 million dollarsf or Government loans to veterans in rural areas where private home financing is scarce.

In an economy move, the Senate chopped 150 million dollars from the direct GI mortgage loan program and another 100 million from loan authorizations for college housing.

As originally approved by the Banking Committee, the bill would have called for a six-year outlay of $2,925,000,000.

SLUM CLEARANCE GRANTS

But the Senate went along with a request by liberal Democrats to boost from 350 to 500 million dollars the annual rate at which slum clearance grants would be parcelled out to States and cities.

There would be a six-year ceiling of $2,100,000,000, which was 750 million dollars more than the President requested. The President also asked for 100 million more for the program in this fiscal year in his original request.

The Senate bill also would authorize:

1. Thirty-five thousand new public housing units and a carry over of 16,000 existing unit authorizations. The administration had protested that there was no need for the new units.

2. College housing loans totaling 300 million dollars—100 million dollars more than the Administration proposed.

3. Loans amounting to 125 million dollars for construction of college dormitories, classrooms and laboratories. The Administration opposed any funds for this program.

Democratic and Republican leaders agreed that the bill, in its present form, would pile an added 135 million dollars onto the President's delicately balanced $77 billion dollar budget for the fiscal year starting next July 1.

They said the impact would be 35 million dollars if the Administration was correct in expecting the G.I. interest boost to wipe out the need for direct loans to veterans.

CALLED VITAL TO NATION

Republicans opposed the package Senate bill more from the standpoint of its long range cost than because of its effect next year. But Democrats defended it as vital to provide safe and senitary housing for millions of needy Americans.

The drive of liberal Democrats to speed up the flow of federal money for slum clearance was led by Sen. Joseph S. Clark (D., Pa.). His amendment to speed up the rate but not overall total was approved by voice vote.

The Senate rejected a republican move to trim 600 million dollars from the slum clearance funds, the biggest item in the catchall bill.

Some foes of the bill charged that Congress was unbalancing Mr. Eisenhower's 1960 budget in its first enactment. But democratic leaders said they had cut the bill to the point they did not see how the President now could reject it.

Battle Assured

Powell Will Try To Add Clause To Democrats' Controversial Bill

By TOM NELSON
United Press International Staff

WASHINGTON, Feb. 20. — Representative Adam Clayton Powell (D., N. Y.) served notice Friday he would try to write a ban on racial discrimination into the embattled Democratic housing bill.

If he succeeds, the measure would be in serious trouble. Most Southern Democrats undoubtedly would join many GOP members in voting against any bill containing such a provision.

Republicans already have brought the legislation under sharp attack on grounds it would throw President Eisenhower's delicately - balanced budget into the red.

Would Affect FHA Loans

Powell, a Negro, said he would try to amend the bill to require that applicants for Federal Housing Administration mortgages for rental units first agree not to practice racial discrimination.

He said he could not yet predict whether the amendment would pick up enough Republican and Northern Democratic votes to win adoption. In the past, he has failed at several attempts to write similar discrimination bans into housing bills.

In any event, key lawmakers said, the Powell proposal would not be enacted into law at this session of Congress. Even if it passed the House, they said, it would be knocked out by the Senate.

One key Republican said it was possible this time that a large number of Republicans might decide to support Powell's effort. If so, he said, their sole objective would be to block passage of the controversial bill and force Democrats to write a new one containing less Federally subsidized public housing.

Price Tag Argued

Main GOP objection to the present bill is that it would authorize 190,000 units of public housing at a rate of 35,000 a year. Republicans charge this would cost three billion, 750 million dollars over the next 45 years, on top of the two billion, 100 million price tag the Democrats put on the bill's other features, which include Federal grants for slum clearance and Federal loans for college housing.

Without the public housing feature, the bill as it now stands is 440 million dollars bigger than President Eisenhower wants, although smaller than the version which the Senate has approved.

Housing Bill Faces Racial Rider

WASHINGTON, Feb. 20 (UPI)—Rep. Adam Clayton Powell (D-NY) served notice today that he will try to write a ban on racial discrimination into the embattled Democratic housing bill.

If he succeeds, the measure may be in serious trouble. Most Southern Democrats undoubtedly would join many GOP members in voting against any bill containing such a provision.

Republicans already have brought the legislation under sharp attack on grounds that it would throw President Eisenhower's delicately balanced budget into the red.

Powell, a Negro, said he will try to amend the bill to require that applicants for Federal Housing Administration mortgages for rental units first agree not to practice racial discrimination.

He said he cannot predict whether the amendment will up enough Republican and Northern Democratic votes to win adoption. In the past, he has failed at several attempts to write similar discrimination bans into housing bills.

In any event, key lawmakers said, the Powell proposal will not be enacted into law at this session of Congress. Even if it passes the House, they said, it will be knocked out by the Senate.

One key Republican said privately it is possible this time that a large number of Republicans might decide to support Powell's effort.

If so, he said, their sole objective will be to block passage of the controversial bill and force Democrats to write a new cne containing less federally subsidized public housing.

The main GOP objection to the present bill is that it would authorize 190,000 units of public housing at a rate of 35,000 a year.

BILL TO CURB SEGREGATION HERE PASSED

School Bias Denied in Illinois House

BY ROBERT HOWARD
[Chicago Tribune Press Service]

Springfield, Ill., April 15—A bill directing the Chicago board of education to seek to avoid racial segregation in school districting was passed by the Illinois House on a 137 to 7 roll call Wednesday.

Charges that segregation exists in Chicago were denied during the long debate. One denial was in a statement by R. Sargent Shriver, school board president, which was read by Majority Leader William G. Clark [D., Chicago].

Armstrong is Sponsor

The bill, sent to the Senate, was introduced by Rep. Charles F. Armstrong [D., Chicago]. The other eight Negro representatives were among the co-sponsors.

As amended previously, the bill did not specifically prohibit segregation. It said that in laying out district and subdistrict lines an in acquiring new buildings, the district among other mattres must seek the effective promotion of integration.

Clark denied there is Chicago school segregation. The Shriver statement listed several factors considered in districting and said that no instance of segregation had ever been submitted to the school board.

Rep. Charles W. Clabaugh [R., Champaign], chairman of the legislature's School Problems commission, told the House there is no segregation in Chicago but accused the school officials there is ducking authority. He said they want a law passed so that the legislature can be blamed for whatever action is taken..

Sponsors of the bill, sure it would pass, limited their speeches.

Asked whether there is segregation, Armstrong said that Negro schools are on a crowded double-shift basis, while there are empty classrooms in adjacent districts.

Terms Reply a "Yes"

Rep. Robert McLoskey [R., Monmouth], who has asked the question, announced that he interpreted Armstrong's answer as meaning "yes." McLoskey then voted for the bill.

The House education committee two weeks ago recommended that the House conduct a hearing at which Shriver and others could testify. The hearing never was arranged, and some legislators predicted Wednesday that the bill would be killed by the Senate.

House screening committee recommended constitutional amendments that would provide for annual legislative sessions and add two years to the elective terms of Senators and Representatives. Chief sponsor of the plan was Rep. Elmer W. Conti [R., Elmwood Park]. The Conti resolutions were referred to the House executive committee.

With one vote to spare, the House passed a bill by Rep. A. B. McConnell [R., Woodstock] making it illegal for unauthorized persons to display the emblem of the Illinois Police association.

Opponents charged that the emblems are used to help sell advertising in association publications. McConnell denied it. At the end of the rollcall, the vote was 88 to 21, one short of the number required for passage. Two representatives then changed to support the bill.

New Storm Erupts Over Compromise

WASHINGTON (AP)—The Senate put off action on the Kennedy labor bill Friday night after a row developed over a compromise proposal to water down the McClellan "bill of rights" amendment. It quit at 10:59 p.m. until 11 a.m. Saturday on the motion of Sen. Lyndon B. Johnson (D-Tex), the majority leader, over the shouted protest of Republican senators.

Sen. A. S. (Mike) Monroney (D-Okla) who was presiding, ruled that the motion carried.

A storm blew up against Johnson's earlier efforts to obtain action on the compromise Friday night. Many members protested they hadn't had a chance to see it and therefore couldn't vote intelligently.

Sen. Spessard Holland (D-Fla) rose and shouted out a plea to continue debate, saying the situation was still too confused.

Earlier, the Senate turned back attempts to throw a tight halter on organizational picketing and secondary boycott practices of unions. Sen. John L. McClellan (D-Ark) and Eisenhower administration forces backing him thus suffered a double defeat.

Applause broke out on the Republican side of the aisle for Holland and there were shouts of "Hear! Hear!"

Sen. John Marshall Butler (R-Md) who led the handclapping, at one point jumped up and moved that the Senate adjourn until noon next Monday.

SENATE ROW

However, Senate Republican Leader Everett M. Dirksen of Illinois went over to whisper to Butler, and a moment later the latter withdrew his motion.

The custom in the Senate is for only the majority leader, or someone designated by him, to move to adjourn.

The compromise, presented by Sen. Thomas Kuchel (R-Calif), Republican whip who voted for the original amendment touched off the uproar.

Supporters of the original tough McClellan proposal contended it was out of order. But they were overruled by Monroney.

Kuchel offered the compromise for himself and several other Democrats and Republicans.

It would keep six of the original seven points in the McClellan amendment, but changes the language considerably to try to assure that present union practices are not disturbed too greatly.

PROVISIONS

The rights retained in the substitute are equal rights, freedom of speech, freedom of assembly, freedom from arbitrary financial exactions, protection of the right to sue, and safeguards against improper disciplinary action.

However, it would drop a provision giving the secretary of labor the right to get injunctions to enforce the rights. The seventh point dropped was one which would have permitted union membership lists to be opened to public inspection. The AFL-CIO had objected to this bitterly.

Sen. Styles Bridges (R-NH) raised a point of order that the Kuchel substitute could not properly be considered because the Senate already had voted not to reconsider the original McClellan amendment.

But Monroney ruled the compromise differed in considerable detail from the original McClellan amendment and therefore was in order.

The McClellan amendment, setting up a seven-point "bill of rights" for union members, with stiff penalties for violation of it, went into the bill on a 47-46 vote Wednesday night.

It has been heavily attacked by Sen. John F. Kennedy (D-Mass), who said it was unworkable and too drastic in its treatment of unions.

SOUTHERN DOUBTS

Some Southern senators also have expressed doubts about an injunction feature of the McClellan amendment, since it did not provide for jury trials.

Huddles over drafting of a substitute compromise have been going on all day on the Senate floor itself and in the cloakrooms.

During the day, the Senate had turned back attempts to throw a tight halter on organizational picketing and secondary boycott practices of unions.

Sen. McClellan and Eisenhower administration forces backing him thus suffered a double defeat.

It was a turnabout from Wednesday night when McClellan led a successful fight to adopt a "bill of rights" for labor, over the objections of Sen. John F. Kennedy (D-Mass), sponsor of the anticorruption bill.

SOUTHERN SWITCH

But there were signs that some of the Southern Democrats who backed McClellan on the "bill of rights" might switch if, as expected, the Kennedy forces try to rip that amendment out of the bill.

In the first of Friday's major tests, the Senate rejected 59-30 an amendment aimed chiefly at blackmail picketing, a term used by McClellan to describe the use of pickets to extort money from businessmen and force workers into labor unions.

But the amendment also would have sharply curbed organizational picketing which Kennedy said was essential for growth of the union movement. For this reason he called the proposal antiunion.

On the roll call, 48 Democrats and 11 Republicans voted with Kennedy while 21 Republicans and 9 Democrats supported McClellan. All the Democrats were Southerners, except Sen. Frank J. Lausche of Ohio.

Later, a watered-down picketing amendment was adopted 86-4 after floor huddles between Kennedy and some Republicans who had been in his corner.

COMPROMISE

This compromise would bar organizational picketing in two cases: 1. where an employer has recognized another legitimate union, and 2. where the union seeking to picket has lost an election at the shop involved in the previous nine months—unless it is able to show before the nine months are up that it has enrolled a majority of the employes.

McClellan—and the administration—were rebuffed a second time late in the day when the Senate defeated 50-41 an amendment to pull tighter the Taft-Hartley law's provisions against secondary boycotts.

This amendment was aimed at union picketing or other pressures brought against neutral employers in order to force to win a labor dispute with an employer directly involved.

LABOR IS VOTED BILL OF RIGHTS

Seven - Point Protection For Rank and File Put In Senate Measure

WASHINGTON (AP)—The Senate Wednesday night adopted a seven-point bill of rights for labor union rank and filers, with criminal penalties for any union leader violating those rights.

On a 47-46 roll call vote, it wrote into the Kennedy labor bill a series of such guarantees sponsored by Sen. John L. McClellan (D-Ark).

McClellan contended the Kennedy anticorruption bill "does not adequately meet the needs of union members for the protection of their rights" from the sort of abuses spotlighted by McClellan's committee, the Senate Labor-Management Committee.

Guarantees Listed.

McClellan's amendment would extend to union members these guarantees:

1. Equal voting rights and equal protection of a union's rules.
2. Freedom of speech so a union member could express his views without penalty.
3. Freedom of assembly.
4. Freedom from arbitrary financial exactions so dues and initiation fees could not be changed without a majority vote of members in a secret ballot or a majority vote of delegates at a regular meeting.
5. Protection of the right to sue.
6. Safeguards against improper disciplinary action.
7. Inspection of membership lists so any candidate for union office or his agent could obtain such lists.

Any officer of a union who denied a member these rights would be subject to up to two years in prison and a $10,000 fine. The Secretary of Labor also could enforce the rights by injunctions.

McClellan's Rights Plan Stirs Fight

Amendment Row Sends Body Into Night Session

By Robert C. Albright
Staff Reporter

The Senate drove into a late night session on the Kennedy labor reform bill yesterday without finding a way to remove or modify a highly controversial "bill of rights" amendment forged into the measure Wednesday night.

Northern Democrats and some liberal Republicans explored the possibility of a compromise solution of what was fast becoming the bill's central dilemma. At thesame time, the AFL-CIO legislative department struck out bitterly at the amendment.

The AFL-CIO said the change "undertakes to regulate the internal operations of unions in great detail," and when on ot charge:

"It (the McClellan amendment) largely destroys the historic concept of a union as a vlountary association. Even if the premise were accepted that unions should no longer be treated as voluntary associations—a premise the AFL-CIO rejects—the particular provisions of this amendment are unreasonable."

A decision on a number of alternative proposals for modifying the amendment was put over until today, as Senate Majority Leader Lyndon B. Johnson (Tex.) won agreement on a debate limitation looking to possible final passage of the bill late tonight.

Other Amendments

Tied to the bill during yesterday's action were several other amendments:

- Requiring all unions to send notices to their members at least 15 days in advance of an election.
- Requiring employers to report 30 days after an agreement was reached to spend money for middlemen to try to influence workers in a labor dispute.
- Changing the bill's definition of a labor union so that groups such as Teamsters Union Conferences covering several states would be subject to the law.

Sen. John F. Kennedy (D-Mass.), fresh from his first serious reverse on the bill he authored, was the first to strike out at the "bill of rights" amendment. Kennedy charged it would open "a pandora's box of lawsuits, wildcat strikes, labor spies and Federal bureaucracy."

Sen. John L. McClellan (D-Ark.), proponent of the change, termed it, however, "a great victory for 'honest, decent working men in unions."

Among those who voice hope that some device could be found for removing the controversial language was Sen. Hubert H. Humphrey (D-Minn), who abandoned a West Coast speaking tour to rush back to Washington.

Humphrey, whose potential rival for the Democratic Presidential nomination, Sen. Kennedy, is managing the bill, said he will resume his trip after today's showdown on the bill.

CHANGES IN T-H ACT TO REMAIN IN KENNEDY BILL

Senate Rejects Move to Strike Provisions

By FRED S. HOFFMAN

WASHINGTON (AP)—The Senate rejected efforts to strip proposed Taft-Hartley Act changes from the Kennedy labor bill Tuesday.

Then it turned back an effort to write in Taft-Hartley changes sought by the Eisenhower administration.

On the first floor test, an amendment of Sen. Sam J. Ervin Jr. (D-NC) to eliminate all the Taft-Hartley provisions was beaten 67-27. Most of these provisions long have been sought by labor.

THE ROLL CALL

On Ervin amendment to eliminate Taft-Hartley act changes from Kennedy labor bill:

LOUISIANA

Against—Ellender, Long.

MISSISSIPPI

For—Eastman, Stennis.

IKE PLAN REJECTED

Two hours later, the Senate turned down a proposal of Senate Republican Leader Everett M. Dirksen of Illinois to substitute the Eisenhower administration's Taft-Hartley proposals for those in the Kennedy measure. The vote on this was 67-24.

The chief effect of this substitute would have been to add to the Kennedy measure two Taft-Hartley changes which the administration contends are needed in any effective regulation bill.

These would have banned all secondary boycotts and sharply limited organizational picketing.

The result of the first day of voting on the bill was a considerable victory for Sen. John F. Kennedy (D-Mass), chief sponsor of the legislation.

LEADS DEFENSE

He led the defense against attacks both from those who wanted all of its Taft-Hartley provisions knocked out and those who wanted to go further than his measure.

However, the major floor tests probably will come later in the week.

These are expected when other amendments are offered to try to put in organizational picketing and secondary boycott bans and to alter other provisions in the Kennedy bill.

M'CLELLAN TO ACT

Sen. John L. McClellan (D-Ark), chairman of the Senate Labor-Management Committee, has promised to lead the fight for these separate amendments.

Against the Ervin amendment were 44 Democrats from North and South, and 23 Republicans. For it were 16 Democrats, most of them Southerners, and 11 Republicans.

Kennedy Bill Is Denounced As Inadequate

Hoodlum Invasion Extensive, Racket Prober Declares

By LEE M. COHN
Star Staff Writer

Senator McClellan today hoisted the banner of a "bill of rights" for union members to rally backers of strict labor reform legislation.

The Arkansas Democrat concedes his drive to toughen up the reform bill is unlikely all the way. But his prestige as chairman of the Senate Rackets Committee may draw enough support to set up some close votes. Senate debate is heating up in its sixth day.

Senator McClellan charged the reform bill sponsored by Senator Kennedy, Democrat of Massachusetts, is full of "empty gestures" and "pleasant platitudes." He said in a prepared speech that the union-backed measure "does not afford adequate sanctuary to the exploited and the oppressed" union members.

"Better Than Reform"

"The invasion of unionism by thugs and hoodlums has gone much farther and is more extensive than you think," he declared, citing disclosures by his investigating committee.

His bill of rights and other amendments, the Senator maintained, would produce "something better than the illusory word 'reform' as a cure for the ills that we know exist."

Senator McClellan's bill of rights would set up detailed standards of internal "democracy" for all unions. He would, for example, guarantee the right of union members to speak their minds at union meetings, require membership approval of increases in dues and initiation fees, protect the right of members to sue, safeguard equal voting rights and require hearings and other due process in union disciplinary actions.

Stiff Penalties Asked

One version of the Senator's proposal provides for slapping a $10,000 fine and a two-year prison sentence on union officials violating these rank-and-file rights. Another version would go further, establishing a form of licensing for unions.

The Secretary of Labor would issue "certificates of compliance" to unions incorporating the bill of rights in their constitutions, and observing the rights in practice. Without a certificate, a union and its subsidiaries would lose the right to recognition as the representative of its members, and would be denied access to the National Labor Relations Board for filing unfair labor practice charges.

Senator McClellan apparently has dropped another penalty he had proposed—cancellation of tax exemptions for unions denied certificates.

Opposed by Mitchell

Secretary of Labor Mitchell has said the licensing proposal "goes too far" in regulating internal union affairs. But Senator McClellan argued that the Government grants unions "tremendous powers," so unions should be compelled to exercise these powers in accord with "democratic principles." If the rights of rank-and-file members are safeguarded, he has said, they will kick out corrupt leaders.

Despite Senator McClellan's following in labor matters, Senator Kennedy expressed confidence that he can beat the bill of rights proposal. He is a bit more concerned about several other amendments Senator McClellan plans to push, including proposals to curb secondary beycotts and organizational picketing.

Republican advocates of a strict reform bill are dropping their own proposals in the boycott and picketing field to support Senator McClellan. They count on him to draw votes from the Democrats.

Administration Beaten

The Senate last night rejected one version of the boycott and picketing curbs, but the 67-24 roll-call vote was not a clear-cut test. Minority Leader Dirksen of Illinois perfunctorily offered an Eisenhower administration package including restrictions against boycotts and picketing, plus a series of pro-labor amendments of the Taft-Hartley Act parallel to provisions of the Kennedy bill.

Senators will get their chance later to vote on individual components of the package.

"Sweeteners" Upheld

Senator Dirksen's administration package—which drew only 2 Democratic and 22 Republican votes—contained a provision that would let States handle labor cases when the NLRB declines jurisdiction. Senator Kennedy would rely more on the NLRB in his proposal to solve the jurisdictional problem.

Earlier yesterday the Senate voted 67 to 27 against a proposal to eliminate a series of pro-labor "sweeteners" from the Kennedy bill. Senator Ervin, Democrat of North Carolina, pressed this proposal although he co-sponsors the Kennedy bill.

Senator Ervin urged the Senate to handle only internal union reform now, and deal later with Taft-Hartley amendments beyond the scope of racketeering. He warned that inclusion of the "sweeteners" would bog the bill down in the complexities of the Taft-Hartley Act.

AFL-CIO President George Meany had threatened to fight for defeat of the reform bill if it lacked the pro-labor provisions. The vote against Senator Ervin allied Mr. Meany's supporters with Senator Dirksen and other advocates of a strict bill.

Senator Dirksen wanted to secure Senator McClellan's support for boycott and picketing curbs. Senator McClellan had said he would defer his drive on boycotts and picketing if the Senate eliminated the "sweeteners."

Labor Bill Passes In Senate, 90-1; 'Rights' Changed

Goldwater Is the Sole Dissenter

House Stand On Bill Is Uncertain

By Don Irwin

WASHINGTON, Apr. 25. The Senate gave final approval today to the Kennedy labor-reform bill after accepting a revised version of the "bill of rights" amendment offered by Sen. John L. McClellan, D., Ark.

The roll-call vote on final passage was 90 to 1, with Sen. Barry Goldwater, R., Ariz., the sole dissenter.

The addition of specified rights for union members, enforceable in court, was the most substantial of about fifty changes voted during eight days of floor consideration of the big bill sponsored and managed by Sen. John F. Kennedy, D., Mass.

The complex measure now faces an uncertain fate in the House, where the Labor Committee is in the middle of hearings on its own labor reform measure. The Kennedy bill is basically designed to correct abuses pointed up in the two-year cycle of hearings before the Senate Rackets Committee headed by Sen. McClellan.

Provisions of Bill

Its major provisions are:

1. Detailed reporting to the Secretary of Labor by unions on their organization and finances and by corporations on expenditures in the labor-relations area. The reports would be public, and the Secretary would have ample authority to investigate specified abuses. Violations are subject to heavy penalties.

2. Limitations on the conduct of trusteeships by international unions are spelled out.

3. Minimum procedures to protect union democracy are specified, including requirements that union officers be elected by secret ballot at fixed intervals. There are limitations on the eligibility of ex-convicts for union office.

Taft-Hartley Revised

4. Revision of Taft-Hartley law requirements sought for many years by organized labor are included. More sweeping changes are under study by the Senate Labor Committee.

Revised 'Rights' Clause Approved In Upper House

WASHINGTON (AP) — The Senate Saturday passed by an overwhelming 90-1 margin the Kennedy labor regulation bill aimed at routing racketeers and thugs from unions. Sen. Barry Goldwater (R-Ariz.) cast the lone negative vote.

Passage came a few hours after approval of a toned-down substitute for the McClellan "bill of rights" amendment.

The bill sponsored by Sen. John F. Kennedy (D-Mass.) now goes to the House, where similar legislation died last year. But its backers there said it has a better chance this session. House hearings on bills along the same line already are under way.

The similar bill which the Senate passed last year was sponsored by Kennedy and former Sen. Irving M. Ives (R-NY). After it was killed in the House, Republicans and Democrats sought during the succeeding months of the political campaign to place on each other the blame for its death.

The measure passed Saturday makes the most extensive changes in the Taft-Hartley law since that pact passed in 1947.

Some of these changes are strongly desired by organized labor. The AFL-CIO had said it would fight the measure if the changes were not retained.

35 AMENDMENTS

The Senate adopted 35 amendments and defeated 15 in nine days of floor debate on the bill.

Kennedy succeeded in fighting off all major amendments he opposed head-on except the bill of rights proposal in its original form.

This amendment, offered by Sen. John L. McClellan (D-Ark), chairman of the Senate Labor-Management Committee, was put in Wednesday by a dramatic 47-46 vote.

But the provision was considerably toned down Saturday by adoption of a substitute which Kennedy said protected the operating procedures of unions, but still offered guarantees of basic rights to union members. McClellan also approved the substitute.

Kennedy told a reporter he believed the bill had been strengthened and improved in the floor debate, and that its chances of final enactment into law were enhanced.

DIE AGAIN

At the outset of the debate, he had declared that if too many major changes were made on the floor, the measure might well die again this year.

McClellan said, "It is a much better bill today than the day the Senate took it up, notwithstanding the fact it still is very deficient."

Kennedy bore the main brunt of the argument in turning back two major McClellan amendments—to write into the bill sharp provisions aimed at blackmail and organizational picketing and at secondary boycotts.

The Eisenhower administration had insisted that any effective bill must contain provisions on these points.

KENNEDY STAND

Kennedy contended that the two McClellan proposals would directly hurt legitimate labor interests. But McClellan said the amendments were needed because the influence of such men as Teamsters Union President James R. Hoffa was spreading in the labor movement.

Sen. Goldwater told the Senate he was voting against the bill because he said it failed to meet conditions exposed by McClellan's Senate rackets committee.

He said the Senate had labored long "and like the proverbial mountain it brought forth the proverbial mouse."

Democratic Leader Lyndon B. Johnson of Texas, who generally supported Kennedy in the floor battle, praised the Massachusetts senator and what Johnson referred to as the "magnificent contribution" of McClellan.

'SMALL GOOD'

Sen. Bourke Hickenlooper (R-Iowa) said the bill "would do only a small amount of good." He said, "It is too bad the Senate of the United States did not face up to this issue squarely."

The great bulk of the bill was not disturbed in the floor debate.

The principal antiracketeering provisions would require unions to make detailed financial reports which would be o
spection; set up
fair elections with secret
and a limitation on terms of officers; ban persons convicted of serious crimes from serving as union officials for prescribed periods; control trusteeships by international unions over locals and limit their duration; require employers to make public reports on their activities designed to influence labor disputes through middlemen and in other ways, and fix several criminal penalties for false reporting and other violations of provisions of the bill.

KEY CHANGES

Key Taft-Hartley changes in the bill would permit replaced strikers to vote in a bargaining election, thus wiping out what union officials and others have termed a "union-busting" Taft-Hartley provision, and legalize pre-hire agreements in the con-

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. . . Sen. Johnston, Page 5-A.
. . . Sen. Thurmond, Page 5-A.

Senate Waters Down Labor's Rights Bill

Senate nears final passage of labor bill

WASHINGTON (UPI)—The Senate by a 77 to 14 vote watered down the controversial "bill of rights" amendment to the labor reform bill Saturday and pressed for final passage o the legislation.

The compromise "bill of rights" sponsored by Sen. Thomas A. Kuchel (R-Calif.) won the support of both labor advocates and southern senators. It replaced a tougher amendment by Sen. John L. McClellan (D-Ark.) which had been adopted by a one-vote margin.

Adoption of the Kuchel compromise was the first major development as the Senate held an unusual Saturday session to work on the bill. Democratic Leader Lyndon B. Johnson of Texas threatened to keep the Senate in a night session if need be to complete action. The House still must act on the bill.

CHANGED MINDS

Kuchel, who is Senate GOP whip, confessed that he and others who had voted for the McClellan amendment had changed their minds. He said they found that parts of it were "imperfectly drawn and ought to be improved."

One proviso that was eliminated Saturday would have authorized the Labor Department to seek federal court injunctions against violation of the rights of union members. This section had disturbed some of the southerners because it might set precedent in civil rights.

The substitute also guarantees free speech and assembly for unionists but subjected the guarantees to "reasonable" rules of the union to maintain discipline over members.

This section drew protests from Sens. Barry Goldwater (R-Ariz.) and Frank J. Lausche (D-Ohio), who contended that it would mean a limitation on freedom of speech.

struction industry. Labor long has sought these.

Four important changes were made in the floor debate, one being the adoption of the bill of rights.

The others were insertion of a "hot cargo" amendment to outlaw agreements frequently obtained by the Teamsters Union to force a trucker to agree in a contract not to handle products which the union designates as hot; a provision to require union officials who handle money to observe fiduciary standards, and a provision to ban organizational picketing where the union has lost an election in the last nine months or where the employer has recognized another union.

HOLLAND BEATEN

Sen. Spessard Holland (D-Fla) was beaten 64-27 in a last-minute effort to grant states authority to ban or restrict strikes on public utilities, such as gas, water, light, or public passenger transportation services.

Kennedy said this was too complicated a subject to handle as an amendment to the pending bill. He promised that the Senate Labor Committee would give it separate consideration later.

The final amendment written into the bill, offered by Sen. Sam Ervin Jr. (D-NC), modified the prehearing election section designed to speed up National Labor Relations Board processes.

Under the original provision the board could call an election on its motion 30 days after a petition was filed for it, even though the parties could not agree to a consent election. The Ervin amendment changed the waiting period to 45 days.

PASSAGE ASSURED

Passage of the bill was virtually assured once the Senate had gotten past the dispute over McClellan's bill of rights section.

Sen. Thomas Kuchel (R-Calif) who offered the substitute, said it was fair, just and reasonable and in understandable language. Sen Goldwater opposed the substitute as "a hatchet job."

In effect, the 74-14 vote to adopt the revised version was a partial reversal of the hairline 47-46 margin by which the Senate adopted the original bill of rights amendment by Sen. John L. McClellan (D-Ark.)

However, McClellan himself voted for the substitute. He told newsmen he felt it preserved the substance of the protection he wanted for rank-and-file union members.

EFFECTS RESTRAINED

The substitute restrained the far reaching effects of the original amendment. One of the changes dropped a provision under which the secretary of labor could have obtained injunctions, enforced without a jury trial, to back up the rights.

Another clause was to delete a provision under which union membership lists could have been opened to the public.

The substitute, which includes several of McClellan's original proposals, authorizes union members to bring federal suits to enforce these protections:

Equal rights on such points as voting in union elections, freedom of speech, freedom of assembly, freedom from arbitrary financial exactions, protection of the right to sue, and safeguards against improper disciplinary action.

CHURCH SPEAKS

Sen. Frank Church (D-Idaho), one of the five Democrats and four Republicans who sponsored the substitute, said it was being offered not to water down rights of union members but to make sure the provision was not unduly harassing and obstructive to unions.

Sen. Frank J. Lausche (D-Ohio) protested that the substitute diluted guarantees of equality of rights and freedom of speech.

Sen. Jacob K. Javits (R-NY) argued that, "Every senator knows the original amendment had to be cleaned up. It would have let the secretary of labor run every union in the country."

After approving the substitute, the Senate adopted by voice vote an amendment requiring a union and its officers to make membership lists available to candidates for office without discrimination and to provide for distribution of a union candidate's campaign literature among members.

Offered by Javits and others, the amendment was designed to take the place of the provision in the original McClellan proposal relating to a right to inspect union membership lists.

Intimate Inmates Join Cram Game With New Twist

JEFFERSON CITY, Mo. (AP) — Convicts at Missouri's State Penitentiary have taken up the sardine game, the prison newspaper Jefftown Journal reported Saturday.

But, lacking either telephone booths or sports cars, the prisoners chalked up their record by stacking 14 fellow inmates in a wheelbarrow.

he was hopeful that the labor bill itself could be passed today. However, there was no clear indication that this was possible.

Plans of the leadership on both sides to finish with the measure Friday night evaporated in a big verbal explosion when a substitute for the bill of rights proposal was called up.

THE FUROR even included a personal attack on Sen. Johnson, with some senators charging he was trying to force them to vote on a substitute they had not read.

Johnson then suddenly adjourned the Senate until Saturday, despite pleas of some of his colleagues that it be adjourned until Monday.

The Senate met 13 hours Friday and appeared to have settled all the major floor fights on the bill except the rewriting of the bill of rights amendment.

SEN. FUCHEL HAD five Democrats and three other Republicans as co-sponsors. This in itself indicated the substitute would be adopted since all four of the Republicans voted for the original, which was put into the bill Wednesdtay by a 47-46 vote.

THE SUBSTITUTE made a number of changes in the original seven-point bill of rights introduced by McClellan, chairman of the Senate rackets committee.

All of these would tone down considerably its far-reaching effects.

In a prepared speech, McClellan said the Kennedy bill "does not adequately meet the needs of union members for the protection of their rights. It does not afford adequate sanctuary to the exploited and oppressed."

URGING PASSAGE of an effective bill, he said the "invasion of unionism by thugs and hoodlums has gone much further and is more extensive than you think."

McClellan, chairman of the Senate rackets investigating committee, proposed labor unions be required to write into their constitutions and by-laws a series of provisions designed to assure the rights of individual members.

It was the first of a series of amendments he has said he will propose in an effort to cure abuses of union power his committee has uncovered.

YESTERDAY the Senate turned down 67-27, an attempt by Sen. Sam J. Ervin Jr. (D., N. C.) to knock out of the bill all of the changes it makes in the Taft-Hartley Law. These changes are strongly supported by labor..

Next the Senate rejected, 67-24, a move by Minority Leader Everett M. Dirksen (R., Ill.) to substitute the Eisenhower administration's Taft-Hartley package for the provisions in the Kennedy bill.

Shortly after the Senate began an unusual Saturday session, GOP Leader Everett M. Dirksen (R., Ill.) obtained consent to withdraw a parliamentary move which would have forced a vote on whether the substitute could be brought up.

The effect was to let debate start on the substitute, offered by Sen. Thomas Kuchel (R., Calif.).

DIRKSEN ANNOUNCED he had conferred by telephone with Sen. Styles Bridges (R., N. H.), who Friday made the move which would have forced a vote. Bridges was absent today.

Dirksen acted after Vice President Nixon backed up a ruling of Friday night that the substitute may properly be brought before the Senate.

Nixon was in the chair as the Senate resumed its debate today on the bill.

He told the Senate it was clear from the precedents that Sen. Mike Monroney (D., Okla.) ruled correctly Friday night in holding that the substitute could be offered.

SOME REPUBLICANS, led by Bridges, angrily challenged the ruling and sought to force a vote by taking an appeal from it.

Democratic Leader Lyndon B. Johnson of Texas told newsmen

Senator offers bill of rights for U. S. labor

WASHINGTON, April 22—(AP)—Contending some workers need more protection within their labor unions, Sen. John L. McClellan proposed today what he called a labor bill of rights.

He offered his proposal as an amendment to the Kennedy labor regulation bill, which survived intact its first two floor tests yesterday.

34b 1959

LABOR BILL

Text of Substitute 'Bill of Rights' Voted for Labor Bill by the Senate

Special to The New York Times.

WASHINGTON April 25—Following is the text of amendments by Senator Thomas H. Kuchel voted by the Senate today as a substitute for the McClellan "bill of rights" in the labor bill.

The first amendment would strike out the main parts of the McClellan proposal and substitute the following:

Proposed by Mr. Kuchel (for himself, Mr. Anderson, Mr. Clark, Mr. Church, Mr. Neuberger, Mr. Gore, Mr. Cooper, Mr. Javits and Mr. Aiken) to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Title I—Bill of Rights of Members of Labor Organizations

SEC. 101. (A) (1) EQUAL RIGHTS.—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization to nominate candidates, to vote in union elections or referendums, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and by-laws.

(2) FREEDOM OF SPEECH AND ASSEMBLY. — Every member of any such labor organization shall have the right to meet and assemble freely with other members and to express any views, arguments or opinions; and to express at union meetings his views, upon candidates in a union election or upon any business properly before the union meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: provided, that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and his refraining from conduct that would interfere with its performance

Associated Press Wirephoto

PRESENTED CHANGES: Senator Thomas H. Kuchel, Republican of California, in Washington yesterday.

of its legal or contractual obligations.

(3) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS—(A) The rates of dues and imitation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon such members, except (I) by a majority vote by secret ballot of the members in good standing present at a general or special meeting, after reasonable notice of the intention to vote upon such question, or (II) by majority vote of the members in good standing voting in a referendum conducted by secret ballot through the mails, or (III) in the case of a national or international labor organization, other than a federation of national and international organizations, by majority vote at a regular convention or a special convention held after not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice.

(4) PROTECTION OF THE RIGHT TO SUE—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative or legislative proceeding, or to petition any Legislature or to communicate with any legislator: Provided: that any such member or officer may be required to exhaust reasonable hearing procedures (but not to exceed a six-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: and provided further that no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION. — No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges: (B) given a reasonable time to prepare his defense: (C) afforded a full and fair hearing.

6. Any provision of the consitution and by-laws or other governing charter of any labor organization engaged in an industry affecting commerce which is inconsistent with the provisions of this section shall be of no force or effect.

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a District Court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the United States District Court for the district where the alleged violation occurred, or where the headquarters of such labor organization is located.

SEC. 103. Nothing contained in this title shall limit the rights and remedies of any members of a labor organization under any state or Federal law or before any court or other tribunal.

Roll-Call Vote in Senate Amending the Labor Bill

WASHINGTON, April 25 (AP)—Following is the roll-call vote today by which the Senate approved, 77-14, a substitute "bill of rights" amendment to the labor bill offered by Senator Thomas H. Kuchel, Republican of California, and others:

FOR THE AMENDMENT—77

Democrats—59

Anderson (N. M.)	Kerr (Okla.)
Bartlett (Alaska)	Long (La.)
Byrd (Va.)	Magnuson (Wash.)
Byrd (W. Va.)	Mansfield (Mont.)
Cannon (Nev.)	McCarthy (Minn.)
Carroll (Colo.)	McClellan (Ark.)
Church (Idaho)	McGee (Wyo.)
Clark (Pa.)	McNamara (Mich.)
Dodd (Conn.)	Monroney (Okla.)
Douglas (Ill.)	Morse (Ore.)
Eastland (Miss.)	Moss (Utah)
Ellender (La.)	Murray (Mont.)
Engle (Calif.)	Muskie (Me.)
Ervin (N. C.)	Neuberger (Ore.)
Fulbright (Ark.)	O'Mahoney (Wyo.)
Gore (Tenn.)	Pastore (R. I.)
Green (R. I.)	Proxmire (Wis.)
Gruening (Alaska)	Randolph (W. Va.)
Hart (Mich.)	Robertson (Va.)
Hartke (Ind.)	Russell (Ga.)
Hayden (Ariz.)	Smathers (Fla.)
Hennings (Mo.)	Sparkman (Ala.)
Hill (Ala.)	Stennis (Miss.)
Holland (Fla.)	Symington (Mo.)
Jackson (Wash.)	Talmadge (Ga.)
Johnson (Tex.)	Thurmond (S. C.)
Johnston (S. C.)	Williams (N. J.)
Jordan (N. C.)	Yarborough (Tex.)
Kefauver (Tenn.)	Young (Ohio)
Kennedy (Mass.)	

Republicans—18

Aiken (Vt.)	Keating (N. Y.)
Allott (Colo.)	Kuchel (Calif.)
Beall (Md.)	Langer (N. D.)
Bush (Conn.)	Morton (Ky.)
Case (N. J.)	Prouty (Vt.)
Case (S. D.)	Saltonstall (Mass.)
Cooper (Ky.)	Scott (Pa.)
Dirksen (Ill.)	Smith (Me.)
Javits (N. Y.)	Young (N. D.)

AGAINST THE AMENDMENT—14

Democrat—1

Lausche (Ohio)

Republicans—13

Bennett (Utah)	Hickenlooper (Iowa)
Butler (Md.)	Hruska (Neb.)
Capehart (Ind.)	Martin (Iowa)
Cotton (N. H.)	Mundt (S. D.)
Curtis (Neb.)	Schoeppel (Kan.)
Dworshak (Idaho)	Williams (Del.)
Goldwater (Ariz.)	

Not voting but announced as paired: For, Wiley (R.-Wis.); against Bridges (R.-N.H.).

Not voting or paired but announced as for the substitute: Bible (D.-Nev.) and Humphrey (D.-Minn.).

Not voting or paired but announced as against the substitute: Chavez (D.-N. M.).

Title II—Reporting by Labor Organizations

SEC. 201. (A) Every labor organization shall file with the secretary copies of its constitution, by-laws, and any other basic documents having similar effect, together with a report, signed by its president or other chief executive officer and by its secretary or other chief records officer, containing the following information:

(1) The name of the labor organization, its mailing address and any other address at which it maintains headquarters or a principal place of business or at which it keeps the records referred to in this title;

(2) The names and titles of its officers;

(3) The initiation fee or fees required from new or transferred members by the reporting labor organization;

(4) The regular dues or fees required to remain members of the reporting labor organization; and

(5) Detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (I) qualifications for or restrictions on membership, (II) levying of assessments, (III) participation in insurance or other benefit plans, (IV) authorization for disbursement of union funds, (V) audit of union financial transactions, (VI) the calling of regular and special meetings, (VII) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer referred to in clause (2) was elected, appointed, or otherwise selected, (VIII) discipline or removal of officers or agents for breaches of their trust, and (IX) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures. Any change in the information required by this subsection shall be reported to the secretary at the time the reporting labor organization files with the secretary the annual financial report required by subsection (B).

The second amendment, which would strike out a section that would have given any candidate for union office access to the union's membership list, is as follows:

Such labor organization and its officers shall be under a duty, enforceable at the suit of any bona fide candidate for union office in the District Court of the United States in which such labor organization maintains its principle office, to refrain from discriminating in favor of or against any candidate with respect to the use of lists of members and to comply with all reasonable requests of such candidate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to the members of such labor organization.

President Signs New Labor Bill

WASHINGTON (AP) — President Eisenhower today signed into law the bill regulating internal affairs of labor unions and limiting their boycott and picketing activities.

The measure, a landmark of the 1959 session of Congress, represents one of Eisenhower's most important legilative triumphs. It contains Taft-Hartley law amendments he insisted were essential to any effective bill.

The new law is designed to curb racketeering and other abuses in some unions spotlighted in congressional investigations.

The law also puts new restrictions on organizational picketing by unions and on secondary boycotts.

A secondary boycott is one directed at an employer with whom the union has no direct quarrel.

The AFL-CIO contends these Taft-Hartley changes will weaken labor's legitimate economic powers. Employers argue that

the boycott and picketing weapons were abused by the Teamsters and some other unions. The measure was strongly opposed by organized labor in its final fonm.

The act contains the most far-rewriting of the nation's labor-management relations law since the Taft-Hartley law was passed in 1947.

CRUX OF LABOR BILLS: PICKETS AND BOYCOTTS

Two Measures in Congress Point Up Differences in Approach

By JOSEPH A. LOFTUS

Special to The New York Times.

WASHINGTON, Aug. 8—The legislative struggle to curb power excesses spotlighted by the McClellan committee for two years has been reduced essentially to two bills now before the House.

That does not count the Shelley bill, which a small band of labor hundred per centers would like considered in the race. Experienced House members, however, tend to rate the Shelley bill's chances with the snowball in August.

That leaves the Elliott bill and the Landrum-Griffin bill. There is nothing quite so meaningless, and so emotion-packed, as the labels that are being plastered on these bills. However, for purposes of identification and oversimplification, it can be reported that the conservatives think the Elliott bill is much too soft on the labor leaders, and the labor leaders think the Landrum-Griffin bill is outrageously hard on legitimate unionism.

No Man's Land

For purposes of further identification, the Elliott bill is the one that more closely resembles the Kennedy bill, which the Senate passed on April 25.

These simple distinctions may be worthless within a week since the House may well take the Elliott bill and make it look tougher than its chief rival without changing its name. The House is not limited to two or three alternatives. The ground rules for the oratorical slugfest starting Tuesday provide for amendments unlimited.

Under the heading of oversimplification, it may also be reported that the real, hard, last-ditch differences between the two bills and their champions are boycotts and picketing and what to do about them.

President Eisenhower also attached high importance in his broadcast to a third issue—the so-called "no man's land," which is a catch phrase for labor relations problems that are not processed by either Federal or state agencies.

The curious thing about all three of these is that they are Taft-Hartley Law matters. They figured in the McClellan Committee disclosures of power abuses in a secondary way, but they were not the spectaculars that brought the committee its fame or aroused the public clamor for a law. The committee's twenty-one-point "indictment" of James R. Hoffa this week contains no mention of these three points.

Committee Shockers

The McClellan committee shockers dealt with violence, old-fashioned embezzlement and some plain and fancy forms of financial irresponsibility, all of them violations of state law. The next most outrageous practice shown by the rackets committee was a disregard of union members' democratic rights by autocratic union leaders. Some of these abuses were violent in form and therefore subject to local police powers. Other abuses were subject to the civil remedies of state courts.

If the states had enforced their own laws and applied their exclusive police powers competently and incorruptibly, the McClellan hearings might never have been held or, at most, they would have been gone and nearly forgotten by now.

It is now proposed, indeed virtually agreed, that the Federal Government shall undertake all these state functions. Remedies for all these abuses and many others are now prescribed in various forms and degrees in all the pending bills. They have been all but forgotten in the heat of the conflict over the three Taft-Hartley proposals.

All three issues — boycotts, picketing and Federal-state jurisdiction (no man's land)—figure in the union-management power struggle. In this sense they are traveling as "reform" measures.

The boycott, in origin and practice for many years, was accepted by society as a civil rebellion against injustice.

Secondary Boycott

Today's problem is a development, if not a corruption, of the old-fashioned consumer boycott. It is called a secondary boycott because, by definition, it involves a secondary employer, who is attacked, by strike or other economic pressures, as a way of punishing the primary employer. That is, if you can get one (secondary) employer to stop buying materials from another (primary) employer, the primary employer may come to terms with you.

The secondary employer sometimes, but not always, is an innocent victim. President Eisenhower offered the simple example of the furniture factory whose employes voted not to have a union in the plant so the union pickets the stores that sell furniture made by that plant. This conceivably could force both the store and the factory out of business.

This practice is already outlawed by the Taft-Hartley Act, so much so that where it occurs the National Labor Relations Board must seek a court injunction.

A sophisticated union would not picket the store in a case like this. Union agents would go into the store and hint to the owner that he could avoid "labor trouble" by discontinuing the controversial line of furniture. This practice is legitimate under present interpretations of law. It is the "loophole" that the Landrum-Griffin bill would close.

In the President's example, he neglected to say whether the furniture factory management was neutral in the election, or whether it coerced its employes to vote against the union. It would be naive to assume that all managements are neutral on these matters.

Coercion of employes is an unfair practice under Taft-Hartley, but the coercion is not always easily proved and when you have the proof it may take two years or more to get a decision. In that period, the union's nucleus tends to evaporate. In these circumstances, unions sometimes take shortcuts and put pressure on secondary employers.

Employer Caught

The Landrum-Griffin bill would attempt to cut off all uses of the secondary boycott. The Elliott bill strikes only at the "hot cargo" version—the one commonly used by the teamsters. Truckers who hold common carrier certificates from the Interstate Commerce Commission would be prohibited from agreeing with teamsters to refuse to handle goods the teamsters decide are "hot" because they come from, or are destined for, an "unfair employer. The Landrum-Griffin adherents argue that this limited prohibition might be interpreted by the courts as Congressional approval of all other kinds of boycotts.

The President's example of "blackmail" picketing—a phrase apparently coined by Secretary of Labor James P. Mitchell—dealt with a case where the union insisted on recognition by the employer without a showing of interest by the employes or any attempt by the union to persuade the employers to accept the union, other than to throw up a picket line.

The Landrum-Griffin bill would stop that picket line after thirty days unless the union actually petitioned for an election in that period. The petition, of course, would have to be accompanied by some evidence of employe interest. The Elliott bill apparently would not interfere here, but where an election had been held, the rejected union would be barred from picketing for nine months.

Costly Process

Where these problems involve small, local employers, the National Labor Relations Board refuses to process them because they would bog down the board's machinery and be very costly. The states are not allowed to process these cases. Hence the "no man's land" label. The President would let the states take over these cases.

The objection to using the states is the great lack of uniformity that would emerge.

These are the issues for debate in the House come Tuesday. A decision is expected by Friday.

All hands agree that the race is extremely close. The Elliott bill, supported by Speaker Rayburn and his organization, appeared to have had a slight advantage prior to the President's speech in behalf of the coalition bill. Now the issue is more in doubt. That speech may have made the difference. Democratic leaders, however, theorize hopefully that the speech may harden party lines. If that be so, the Rayburn forces will win.

House Votes Labor Bill Ike Sought

214 Democrats, 138 Of G.O.P. Back Measure

By The Associated Press

Washington, Sept. 4.—By a lopsided vote of 352 to 52, the House Friday passed and sent to President Eisenhower a bill fulfilling his demand for stern measures to fight racketeering in labor unions.

Thus ended a battle that raged over two Congressional sessions and saw some of the most intense lobbying ever conducted by union and management groups. The compromise passed the Senate, 95 to 2, Thursday night.

On the final House vote, 214 Democrats and 138 Republicans voted for passage. Opposed were 51 Democrats and a Republican—Representative Paul A. Fino of New York.

To the bitter end, House members argued over whether the compromise — patterned along the lines of the original House bill—is a union-buster.

Compromise Denounced

Representative Robert P. Griffin (R., Mich.), coauthor of the original House measure, told the House the compromise "is a bill which will permit honest unions to grow."

But Representative John F. Shelley (D., Cal.), who unsuccessfully sponsored a bill backed by the A.F.L.-C.I.O. in an earlier stage of the fight,

Representative Carl Perkins explains his vote against the bill in a story on Page 3.

denounced the compromise as "skulduggery perpetrated by those who over the years have fought labor."

"On the eve of Labor Day I am not going to join those who stand with a gun at the back and head of labor," Shelley said.

Much of the impetus for this new labor control legislation came from Senate Rackets Committee investigations which centered largely on the activities of Teamsters Union President James R. Hoffa.

After the House completed action on the bill Friday, Hoffa put out a statement saying:

"The labor bill is the biggest hoax ever put across on the American worker. It claims to deal with corruption, but in fact it is primarily aimed at destroying the hard-won rights of American labor to win and maintain a decent standard of living."

Text of Amendments to Labor Reform Bill

Special to The New York Times.

WASHINGTON, April 22—Following is the text of amendments to the Kennedy-Ervin labor reform bill accepted by the Senate tonight with a tie vote broken by Vice President Richard M. Nixon:

By Mr. McClellan [Democrat of Arkansas] to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, viz:

On Page 5, between lines 6 and 7, insert the following: Title I—Bill of Rights of Members of Labor Organizations

Sec. 101, (A) (1) EQUAL RIGHTS—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization, including identical voting rights and equal protection of its rues and regulations.

(2) FREEDOM OF SPEECH—Every member of any such labor organization shall have the right to express any views, arguments, or opinions regarding any matter respecting such organization or its officers, agents, or representatives, and to disseminate such views, arguments, or opinions either orally or in printed, graphic, or visual form, without being subject to penalty, discipline, or interference of any kind by such organization.

(3) FREEDOM OF ASSEMBLY—Every member of any such labor organization shall have the right to meet and assemble freely with any other members for the purpose of exchanging views and reaching decisions with respect to any matters pertaining to such organization or its officers, agents, or representatives, without being subject to penalty, discipline, or interference of any kind by such organization.

(4) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS—(A) The rates of dues and initiation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed, and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon sucn members, except upon (I) majority vote by secret ballot of the members present at a general membership meeting held after not less than fifteen days" written notice to each member at his last known address, or by majority vote of the membership by referendum conducted upon such notice by secret ballot through the mails, in the case of a local labor organization, () majority vote of the delegates present at a general meeting duly chosen delegates held after not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, in the case of a national or international labor organization.

(B) The initiation fee, in the case of individual seeking to become a member of such organization, shall not be in excess of 75 per centum of the amount of the prevailing weekly wage payable to individuals in the same category of employments as such person, as of the time such fee is imposed, in the vicinity of such bargaining unit.

(5) PROTECTION OF THE RIGHT TO SUE—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *provided*, that any such member or officer may be required to exhaust reasonable hearing procedures within such organization, not requiring longer than three months to final decision, before instituting legal or administrative proceedings against such organization or any officer thereof.

SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION—No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined by such organization or any officer thereof except for breach of a published written rule of such organization which is not inconsistent with any of the provisions of this title. Disciplinary action may not be taken unless such member has been (a) served with a written copy of the provisions of the constitution and bylaws or other governing charter of such organization which contains a listing of the rights and safeguards afforded him pursuant to this title and with respect to the conditions under which disciplinary action may be taken: (b) served with written specific charges; (c) given a reasonable time to prepare his defense; (d) afforded a full and fair hearing; and (e) afforded final review on a written transcript of the hearing by an impartial person or persons (I) agreed too by such organization and the accused, or (I) designated by an independent arbitration or mediation association or board.

(7) INSPECTION OF MEMBERSHIP LISTS.—Any candidate for office in any such labor organization or his agent shall have the right to inspect and reproduce, for purposes relating to his candidacy, a list of the names and last known addresses of all members of such organization. Such list shall be maintained at the principal place of business of such orgagnization by a designated offficial thereof.

(B) Any provision of the constitution and bylaws or other ggoverning charter of any labor organization engaged in an industry affecting commerce which is inconsistent with the provisions of this section shall be of no force or effect.

Sec. 102. Any officer or agent of any such labor organization who, through use or abuse of authority, or through failure to discharge the duties of his office, or otherwise, wilfully interferes with or prevents, or attempts to interfere with or prevent, the exercise by any member of a right to which such member is entitled under the provision of section 101 shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

"Sec. 103. The secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, may bring an action in a district court or other court of the United States for such relief as may be appropriate including, but without limitation, injunctions to restrain any such volatons and to compel complance with this title. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the dstrict court or other court of the United States where the violation occurred or is about to occur.

"Sec. 104. The provisions of this title shall become applicable—

"(1) Ninety days after the date of enactment of this act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers, governing body, or membership; or

(2) Where such modification can only be made, by a constitutional convention of labor organization, (a) ten days after the holding of the next such convention held after the date of enactment of this act, or (b) two years, in the case of a national or international labor organization, or (c) one year, in the case of a local labor organization, after the date of enactment of this act, whichever is sooner.

Redesignates Titles I to VI as II to VII, respectively, and renumber sections and references hereto accordingly.

On page 49, before the periad in line 19 insert a comma and the following: "or because of exclusion or expulsion from a labor organization in any manner of for any reason inconsistent with the requirements of this act."

On page 51, between lines 11 and 12, insert the following:

(k) "Member" or "member in good standing" when used in reference to a labor organization, includes any person who has fulfilled or tendered the lawful requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consitent with lawful provisions of the constitution, bylaws, or other governing charter of such organization.

On page 54, line 2, insert after the period the following new sentence: Except as explicitly provided to the contrary, nothing in this act shall reduce or limit the responsibilities of any labor organization or any officer, agent, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other federal law or under the laws of any state, and, except as explicitly provided to the contrary, nothing in this act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other federal law or law of any state.

Poll Tax Bill May Pass This Session

Too Little Opposition Mustered In Senate To Halt Approval

BY GENE WORTSMAN
Post-Herald Correspondent

WASHINGTON, Aug. 30 — A "sleeper" bill which could be labeled "civil rights" stands a good chance of Senate passage before adjournment.

The measure provides for elimination of the poll tax in the five states—including Alabama—where it exists.

The bill would propose a change to the U. S. Constitution. If Congress approves it by at least a two-thirds vote of both bodies, the proposal would go to the state legislatures.

Three-fourths of the states would have to approve before the measure became effective.

Since the poll tax long has been looked on outside the South as a means of preventing Southern Negroes from voting, northern liberals could claim it as a civil rights measure.

Hill, Sparkman Oppose

Both Sens. Lister Hill and John Sparkman have opposed the bill in committee.

Both are preparing to debate against it on the Senate floor but they will stand almost alone. The two take the position that the Federal government should not encroach onto a matter of this nature which should be left to individual states.

They have warned that passage of this measure could lead to further Federal advancement into state jurisidiction.

People urging adoption of the measure have all the aces.

Of the 100 members of the Senate, 65 have sponsored or co-sponsored it.

The poll tax applies only in Alabama, Texas, Arkansas, Mississippi and Virginia. But the two Texas senators are co-sponsors of the bill to remove it.

Too Few To Filibuster

So is Sen. John McClellan (D., Ark.). This probably means that the other Arkansas senator, J. William Fulbright (D.) will not oppose the bill.

This would leave only senators Hill and Sparkman, the two Mississippi senators and two from Virginia as possible opponents . . . too few for a filibuster.

Even Sen. Richard Russell (D., Ga.) might back the bill.

In 1948 he opposed a similar measure which would have allowed Congress to abolish the poll tax. He said at that time that he would not oppose a Constitutional amendment, which the current proposal is.

It is understood that Sen. Lyndon Johnson (D., Tex.) is responsible for getting most of the co-sponsors to sign the bill.

Johnson, as Senate majority leader, can bring the bill up for Senate debate and floor once it passes the Senate Judiciary Committee. As a candidate for the Democratic presidential nomination next year, Johnson would like to have a "civil rights" bill under his belt.

34b 1959

RESETTLEMENT BILL
SENATOR RICHARD RUSSELL

After long wait—

Resettlement bill to be considered

BY JAMES FREE
News Washington correspondent

WASHINGTON, Jan. 17—Sen. Richard Russell's 10-year-old "resettlement" bill is at last due to get committee consideration, perhaps by a special subcommittee.

This is because the Russell bill, soon to be reintroduced by the Georgia Democrat, will be referred to a friendly chairman, Lister Hill of Alabama. As in 1949, when Russell first proposed his plan for federal aid for persons who could show that a move to another part of the United States will improve their economic and general welfare, it will be sent to the labor and public welfare committee.

But the big difference now is that the chairman of this committee is Hill, a long-time close associate of Russell.

"IF DICK RUSSELL wants a full-scale hearing on this bill," Hill said in an interview, "he can certainly have it. And it may be that the bill will present unusual problems that require consideration by a special subcommittee." This was the Alabamian's subtle way of saying that a special subcommittee might be set up, if necessary, to assure sympathetic consideration.

Russell is determined that his bill be given serious consideration on its merits, something that opponents have never been willing to do. Rep. George Andrews (D., Ala.) has run into the same you're-joking attitude in unsuccessful sponsorship of a similar "resettlement" bill in the House for the past three years.

So far, the resettlement plan has been opposed on two counts. One, that it is an "insult" to Negro and other minority groups that would be given preferential treatment if they proved economic discrimination against them due to race, national origin, etc.

The other is that this is a booby trap plan to embarrass members of Congress outside the South. Some Northern and Western legislators find it hard to argue against a plan that could spur Negro migration from the South to their own areas, most of which have few Negroes.

SEN. RUSSELL says he does not see how an offer of federal help, on a purely voluntary basis, could be an "insult" to any one. "I don't think that any large number of Southern Negroes would seek to leave their home states under this proposal," he explains. "Not nearly as many of them are dissatified as the Northern press would have one believe."

And he stresses, too, that in some areas of the deep South white minorities might be the ones asking for resettlement help. "In many places," Russell notes, "Negroes heavily outnumber whites. And they certainly will be in political, and perhaps economic, control if the federal government chooses to enforce so-called civil rights laws at bayonet point, as was done at Little Rock. It's entirely possible that whites as well as Negroes would use the resettlement plan. Some whites might wish to move from the North to the South, as well as the other way around."

The Georgian insists that those who claim the Negro is badly treated in the South ought at least to be willing to help him move to an area where there are prospects of better treatment and more economic opportunity.

After long wait—

Resettlement bill to be considered

BY JAMES FREE
News Washington correspondent

WASHINGTON, Jan. 17—Sen. Richard Russell's 10-year-old "resettlement" bill is at last due to get committee consideration, perhaps by a special subcommittee.

This is because the Russell bill, soon to be reintroduced by the Georgia Democrat, will be referred to a friendly chairman, Lister Hill of Alabama. As in 1949, when Russell first proposed his plan for federal aid for persons who could show that a move to another part of the United States will improve their economic and general welfare, it will be sent to the labor and public welfare committee.

But the big difference now is that the chairman of this committee is Hill, a long-time close associate of Russell.

"IF DICK RUSSELL wants a full-scale hearing on this bill," Hill said in an interview, "he can certainly have it. And it may be that the bill will present unusual problems that require consideration by a special subcommittee." This was the Alabamian's subtle way of saying that a special subcommittee might be set up, if necessary, to assure sympathetic consideration.

Russell is determined that his bill be given serious consideration on its merits, something that opponents have never been willing to do. Rep. George Andrews (D., Ala.) has run into the same you're-joking attitude in unsuccessful sponsorship of a similar "resettlement" bill in the House for the past three years.

So far, the resettlement plan has been opposed on two counts. One, that it is an "insult" to Negro and other minority groups that would be given preferential treatment if they proved economic discrimination against them due to race, national origin, etc.

The other is that this is a booby trap plan to embarrass members of Congress outside the South. Some Northern and Western legislators find it hard to argue against a plan that could spur Negro migration from the South to their own areas most of which have few Negroes.

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The Georgian insists that those who claim the Negro is badly treated in the South ought at least to be willing to help him move to an area where there are prospects of better treatment and more economic opportunity.

Two Bids To Alter Defeated

Taft-Hartley Changes Survive Initial Floor Fight

WASHINGTON, April 21 (AP)—The Senate today rejected efforts to strip proposed Taft-Hartley Act changes from the Kennedy labor bill. Then it turned back an effort to write in Taft-Hartley changes sought by the Eisenhower administration.

In the first floor test, an amendment of Sen. Sam J. Ervin Jr. (D-NC) to eliminate all the Taft-Hartley provisions was beaten 67-27. Most of these provisions long have been sought by labor.

Two hours later, the Senate turned down a proposal of Senate Republican Leader Everett M. Dirksen of Illinois to substitute the Eisenhower administration's Taft-Hartley proposals for those in the Kennedy measure. The vote on this was 67-24.

Additions

The chief effect of this substitution would have been to add to the Kennedy measure two Taft-Hartley changes which the administration contends are needed in any effective regulation bill.

These would have banned all secondary boycotts and sharply limited organizational picketing.

The first day of voting on the bill amounted to a considerable victory for Sen. John F. Kennedy (D-Mass), chief sponsor of the legislation.

He led the defense against attacks both from those who wanted all of the bill's Taft-Hartley provisions knocked out and those who wanted to go further than his measure.

However, the major floor tests probably will come later in the week.

These are expected when other amendments are offered to try to put in organizational picketing and secondary boycott bans and to alter other provisions of the bill.

Sen. John L. McClellan (D-Ark), chairman of the Senate rackets committee, has promised to lead the fight for these separate amendments.

Vote Split

Against the Ervin amendment were 44 Democrats from North and South and 23 Republicans. For it were 16 Democrats, most of them Southerners, and 11 Republicans.

It was the first test of the bill aimed at curbing wrongdoing in labor unions.

Backers of the Ervin amendment argued the main objectives of the Kennedy bill would be endangered if it wasn't limited to antiracketeering provisions.

They contended that leaving in the few proposed Taft-Hartley Law changes would invite a flood of amendments aimed at overhaul of the basic labor-management law. This, they said, would tie up the Senate for a long time and hurt chances of enacting cleanup legislation.

"Union members so unfortunate as to be saddled with dictatorial officers or corrupt officers are entitled to immediate relief," said Ervin, who is co-sponsoring the Kennedy bill.

Kennedy, parting company with Ervin on the Taft-Hartley change issue, told the Senate the provisions should stay in because they "will win important strength for this bill in the House and assure its passage there."

He promised he would do all he can to get a later bill to deal with disputed phases of the Taft-Hartley law.

The AFL-CIO badly wants the Taft - Hartley changes the bill would bring about. It has pledged to fight the measure if they are deleted.

These provisions would permit strikers who have been replaced in their jobs to vote in a bargaining election. And they would legalize agreements between employers and labor unions in the construction industry before the workers are hired.

These proposals are acceptable to the Eisenhower administration. But the administration wants to go further and include bans on secondary boycotts and picketing designed to force a plant's workers to organize into a union.

For that reason, GOP leaders in the Senate opposed the Ervin amendment, preferring to have the bill include some Taft-Hartley Act changes.

Dirksen said the administration wants to handle labor legislation in a single package.

Psychological Or Scientific?

Talmadge Bill Attacks Supreme Court

WASHINGTON (AP) — Federal judges would be forbidden to touch any case involving a state-supported school under a bill introduced today by Sen. Herman Talmadge D-Ga.

The junior Georgia senator, in a speech prepared for delivery on the floor of the Senate, accompanied the introduction of the bill with a scorching attack on the U. S. Supreme Court's 1954 decision that racial segregation in the public schools was unconstitutional.

Talmadge criticised the court for citing "so-called modern authorities on sociology and psychology" in the decision and said two of the six principal authorities listed had Communist ties

He said, "I wish to point out, and to emphasize as vigorously as I know how, that so long as that decision is allowed to stand this nation will never be free from the threat of judicial dictatorship and the Constitution and the rights of American people will forever be subject to the whims of the men who transiently occupy the Supreme Court bench."

The Talmadge bill would add a new section to the United States code, as follows:

"No justice, judge, or court of United States shall have jurisdiction to hear, determine, or review, or to issue any writ, process, order, rule, decree, or command with respect to, any case, controversy, or matter relating to the administration, by any state or any political or other subdivision of any state, of any public school, public educational institution, or public educational system operated by such state or subdivision."

Talmadge said the 1954 decision "ignored 105 years of judicial precedent, and "overruled at least 18 federal district and circuit court decisions and at least 59 state and territorial decisions."

The desegregation ruling "cited as its only authority books and treatises on sociology and psychology written by men of questionalbe background and doubtful loyalty," Talmadge declared.

He said two of the authorities, Theodore Brameld and E. Franklin Frazier, "have between them been members of or identified with 28 organizations declared to be Communit, Communist fronts or Communst - dominated by the attorney general of the United States or the Committee on Un-American Acitivities. . ."

A third authority cited by the Supreme Court, Talmadge said, "was at the time of the arguments before the court, on the payroll of the National Assn. for the Advancement of Colored Peoples as a so-called 'social-science expert,' a highly irregular procedure in view of the fact that the NAACP was the principal plaintiff . . " He identified this authority as K. B. Clark.

Talmadge said 16 of the contributors to the book, "An American Dilemma," have lengthy records of pro-Communist activity in the files of the Un-American Activities Committee. He said the book, by Swedish socialist Dr. Karl Gunnar Myrdal, was cited in its entirety by the Supreme Court as an authority.

On page 13 of the book Myrdal declared that the U. S. Constitution is "impractical and ill-suited for modern conditions," Talmadge said.

And Talmadge quoted Myrdal as openly avowing that "liberty must be forsaken for what he called "social equality.' "

Talmadge said, "since the behavioral sciences are very young, imprecise and changeable, their findings have an uncertain life expectancy and today's observations very likely will be cancelled by tomorrow's new theories.

"I sk, therefort, Mr. President, is it right that our fundamental constitutional rights should be conditioned upon the latest psychological literature or scientific theory?"

Hearings on Talmadge Bill start May 12

WASHINGTON, D.C. (NNPA) —Sen. Estes Kefauver of Tennessee, chairman of the Senate Constitutional Amendments subcommittee, last week announced that hearings would begin May 12 on the so-called Talmadge amendment on school administration.

The proposed amendment would nullify the Supreme Court decision against segregated public schools.

It provides that administrative control of the public schools shall be vested in the states and local communities and nothing in the Constitution "shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any school, institution, or system is administered by such state and subdivision."

Sponsors of the proposed amendment are Senators Herman Talmadge of Georgia, Harry Byrd and A. Willis Robertson of Virginia, Olin D. Johnston of South Carolina, Lister Hill and John J. Sparkman of Alabama, James O. Eastland and John C. Stennis of Mississippi, and Russell

Talmadge's Bill Asks Jury Trials for Defiers

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON—Sen. Talmadge introduced into Congress Monday a bill to require jury trials in all cases of contempt arising from the disobedience of any injunction or restraining order.

His bill would in effect alter the provision of the 1957 Civil Rights Act which permits federal judges in civil rights contempt cases to impose jail sentences up to 45 days and fines unp to $300 without jury trials.

Talmadge's proposal also specifies that no person could be bound by a federal injunction except in these instances:

EXEMPTIONS CITED

1—Unless the individual is a party to the proceedings.

2—Unless the individual is named in the injunction and served with a copy of it.

3—Or unless the injunction is read and explained by a judge in open court in the presence of the individual named in it.

BROAD COVERAGE

Talmadge told the Senate that he also favored the right of trial by jury in all cases in which there are facts to be determined, except in cases of direct contempt committed in the presence of the court.

"The enactment of such a law," he said, "would protect all Americans from abuses arising through the misuse of the judicial power of contempt and would constitute the most significant civil rights legislation to come out of Congress since the adoption of the Bill of Rights."

The Founding Fathers wrote into the Constitution and the Bill of Rights guarantees of the right of trial by jury in four separate instances, Talmadge said.

"Those who contend that trial by jury should be limited or denied because juries sometimes do not convict, either forget or choose to ignore the basis of American jurisprudence is that the accused is presumed to be innocent until proved guilty," the Georgian declared.

"It is true that juries sometimes err. But I submit that it is far more likely that any error will be made by one judge secure in his last tenure than by 12 impartial citizens cognizant of the fact that their fate, too, might some day rest in the hands of their peers."

Talmadge's bill and his speech introducing it constitute another in a series of moves he is making designed to take the South off the defensive in the civil rights controversy and present a Southern point of view to Congress and the nation.

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Sponsors of the proposed amendment are Senators Herman Talmadge of Georgia, Harry Byrd and A. Willis Robertson of Virginia, Olin D. Johnston of South Carolina, Lister Hill and John J. Sparkman of Alabama, James O. Eastland and John C. Stennis of Mississippi, and Russell Long of Louisiana.

The subcommittee, before which the hearings will be held, in addition to Senator Kefauver, consists of Senators Thomas C. Hennings of Missouri, Eastland, Thomas J. Dodd of Connecticut, Democrats, and William Langer of North Dakota and Everett M. Dirksen of Illinois, Republicans.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH

34b 1959

SENATE RULE 22

20,000 Signatures on Petitions

Bishops Lead Plea for Rule 22 Chanae!

WASHINGTON (ANP) — Six Bishops led a delegation, representing 45 states, to Capitol Hill on the eve of the opening date of Congress to present a petition calling for a change in Senate Rule 22.

Unable to see Vice President Nixon, the group made the presentation to Senate Majority Leader Lyndon Johnson, and made known their views on the proposed rule change amendment.

The petition, bearing some 20,000 signatures, was carried, then, by the delegation to Mr. Nixon's office where it was received by Charles K. McWhorter, legislative assistant to the presidnet.

IN PRESENTING the petitions Bishop Frank Madison Reid of Kittrell, N. C., praised the leadership of Senator Johnson, and especially the fight he put up last year to save the Supreme Court.

He believed, therefore, that this great leader would help in the fight to assure every man the right to think and the right to be treated as a son of God, created in the image of God.

Johnson replied that he did not want to "evade or avoid" their request for a change in Senate rule. "I am convinced that Rule 22 is going to be modified," he declared. But he did not believe it would be changed to permit cloture to be invoked by a simple majority. He favors the requirement of two-thirds of those present, and voting, to invoke cloture and shut off debate. This is the propo[illegible] in the so-called Johnson-Kn[illegible]wland compromise bill.

■

JOHNSON SAID he was going to push this proposal although he realized that he would make many enemies on both sides. "I'm not quite as liberal as some want me to be," he said, "and I'm not quite as Southern or as reactionary as some."

He described his stand as being sort of in the middle of the road, while the Douglas gang is far to the left, not giving an inch, and the Eastland gang far to the right, not giving an inch.

• "The fellow who says 'all or nothing' usually gets nothing," emphasized the Senate leader. "So come, let's reason together," he told the ministers.

Baltimore, Frank Madison Reid of North Carolina, W. W. Matthews of Washington, S. L. Greene of Atlanta, C. Ewbank Tucker of Louisville, and Carey A. Gibbs of Birmingham.

• Other ministers included the Revs. Fred L. Shuttlesworth of Birmingham, J. Earl Adkins of Philadelphia, and M. Cecil Mills of Washington, all Baptists, and a white Presbyterian minister of Norfolk, the Rev. William B. Abbot.

The interracial, interfaith group consisted chiefly of members of the executive board of the Southern Conference Education Fund which met at the Dodge Hotel Tuesday.

After an eight o'clock breakfast at the hotel, the group journeyed to Capitol Hill to present its petition.

Johnson pointed to Aubury Williams, president of the Southern Conference Education Fund, who sponsored the petition campaign, saying Williams has been 20 years doing what he would like to have done in 20 minutes. We are making progress, added the Texas Senator, but we are trying to do too many things too fast.

■

THE PETITION called for the modification of Rule 22 on cloture "so as to make it possible to close debate and bring the question, or measure, to a vote by a simple majority of the Senators present and voting, after a reasonable time has been alloted for full debate of the issues involved."

34b 1959

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Rayburn Hits Abolishment Of Committee

New-Courier

WASHINGTON (AP) — Speaker of the House Sam Rayburn (D-Tex) dealt a crushing blow Thursday to the already faltering effort to abolish the House Committee on Un-American Activities.

Columbia S.C.

Speaking of the abolition proposal advanced by Rep. James Roosevelt (D-Calif), Rayburn told his news conference: "I am opposed to the Roosevelt resolution. Even if it were reported out by the Rules Committee it would be overwhelmingly defeated by the House."

Apr 16 1959

House Republicans, in a party conference Wednesday, unanimously adopted a resolution opposing the Roosevelt proposal.

Three members of the committee spoke to the House Thursday:

Chairman Francis E. Walter (D-Pa) said the proposal was designed "to strangle the investigation of subversion."

Rep. Clyde Doyle (D-Calif) said it would weaken the House in its responsibility to investigate subversive acts.

Rep. Donald Jackson (R-Calif) said the resolution had been "hailed in Communist circles as the first truly effective blow against the committee."

Labor Dynamiting Curb Urged In Any Anti-Bombing Law

By Scripps-Howard Newspapers

WASHINGTON, Jan. 5 — If Congress passes an anti-bombing law to combat church and school blasts, should it include labor dynamitings, too?

This is a sticky question facing returning lawmakers.

Rep. Emanuel Celler, New York Democrat, and Sen.-Elect Kenneth Keating (R., N.Y.) have a bill pending which would make it a Federal crime to blow up a church or school. But it exempts labor vandals who have been blamed for numerous dynamitings across the country.

An attempt by Rep. J. Carlton Loser (D., Tenn.) last year to get action on a bill banning all types of bombings was given a brief hearing by Celler's House Judiciary Committee and pigeon-holed.

Now, Sen. John B. McClellan (D., Ark.), chairman of the Senate Rackets Committee, says he thinks labor bombings should be included in any bill aimed at curbing dynamiting schools and churches.

"I doubt somewhat the wisdom of the Federal Government entering into the field," he said. "But if it is to do so, certainly a law should be broad enough to cover and to include the same or similar acts when involved in labor-management disputes."

FBI keeps tabs on bombings in civil rights disputes, but little detail about labor blasts. Since Jan. 1, 1957, the FBI has recorded 107 bombings or bombing attempts in civil rights situations. Eighty were attacks on business places, amusement centers, homes and autos, and 27 involved churches and schools.

Bomb Bill

WASHINGTON, (UPI) — The Kennedy-Ervin bill against bombings of schools and religious institutions was offered in the senate Monday.

Sens. John F. Kennedy (D-Mass.) and Sam J. Ervin Jr. (D-N.C.) had previously announced their plan to introduce such a bill. It would make shipment or possession of explosives with the intent to commit a bombing—a federal crime punishable by a $1,000 fine, a year in jail or both.

Seven Bills Planned Against 'Hate' Bombing

WASHINGTON (AP) — Sens. Jacob K. Javits (R-NY) and Kenneth B. Keating (R-NY) announced Thursday they plan to introduce seven bills aimed at hate bombings and hate mail.

The said the measures were drafted after conferences they held last fall in three Southern cities—Jacksonville, Fla., Birmingham, Ala., and Atlanta, Ga. —where bombings have occurred.

They said the legislation should "help to more effectively curb the activities of fanatics and racists trying to establish a reign of terror, particularly in communities where official resistance to court orders on desegregation of the public schools tends to invite other acts of lawlessness."

The measures:

1. A bill to make interstate transportation of explosives a federal crime when the intent is to damage or destroy any building for the purpose of interfering with its use or to intimidate any person.

2. An amendment to the Fugitive Felon Statute which forbids travel across state lines to avoid prosecution or imprisonment, to include among the listed crimes of violence the "willful destruction of any building or structure."

3. A bill to extend greater protection to federal officials against threats and violence.

4. A bill to ban from the mails material tending to incite specific acts of violence such as murder, arson, assault, rape and willful destruction of any building or structure.

5. An amendment to the postal laws to give the Postmaster General authority to enforce provisions banning such mail.

6. An amendment to the Interstate Threats Statute to ban such threats where their purpose is to interfere with federal or state laws or decress.

7. A similar amendment to the Mail Threats Statute.

Bombers North And South

Like the attack on the filibuster, the anti-bombing legislation is proposed as a means of deviling the South. That this is so is indicated by the fact that one anti-bombing bill was killed last summer because it did not exempt labor bombings.

The bill coming up this time, however, is more thoroughly considered: It does exempt dynamitings that happen in labor disputes, while making it a federal crime to bomb a church or a building.

All bombers are despicable—North South, labor or whatever. But making the bombings a federal crime won't stop them, and to make only church bombings a federal crime, while specifically exempting the labor bombers, is too callous for comment.

It is sufficient to point out that the FBI is not eager to see such a law passed. Columnist Roscoe Drummond found three main arguments mentioned by "high Washington officials":

¶ Crime is primarily a local problem and should, of course, be dealt with locally.

¶ To dilute the obligation of local officials by making a crime a federal offense is to take away some of the local responsibility. A local official is inclined to wash his hands of any concern for that particular crime.

¶ There is much that can be accomplished by the FBI working with local officials—more in fact than can be done if a law is passed making bombings a federal law.

It was J. Edgar Hoover who wrote in the December *F.B.I. Law Enforcement Bulletin* that "the present threat from bombings can be most effectively diagnosed and combatted on the local level." In another remark, the F.B.I. director touched on what is most vital in the argument—that there is no more powerful weapon against the Neanderthal bombers than "overwhelming public indignation." That indignation is felt in the South no less than in Congress.

Introduce Bills To Hit Bombers

WASHINGTON — (UPI) — Stiff new laws to pit the full power of the FBI against "hate bombers" were proposed in Congress last week. The legislation was patterned after the Lindbergh Kidnapping act.

Key Senate sponsors of the seven-bill package were Republicans Jacob K. Javits and Kenneth B. Keating, both of New York. Rep. John V. Lindsay (R-N.Y.) planned to introduce the same measures in the House.

Javits and Keating said the proposals were designed to halt the activities "of fanatics and racists trying to establish a reign of terror" against churches, synagogues and integrated schools.

Lindsay said the need for congressional action had been clearly demonstrated by the nearly 70 bombings and attempted bombings reported since 1954, including 27 last year.

The bills also would muster the forces of the federal government against "hate mail" when it has the effect of inciting violence.

Javits and Keating said local law enforcement agencies were hamstrung now in their efforts to track down such criminals because of lack of jurisdiction and resources to do the job.

Introduces Bill To Grant Death In Bomb Cases

By LEON DANIEL

TALLAHASSEE — (UPI) — A bill authorizing the death penalty for terrorist bombings was introduced in the Legislature Monday.

The House met only an hour and 15 minutes before knocking off for the day. The Senate did not go into session until 4 p. m., and then only long enough to introduce a dozen bills.

The bill calling for a maximum penalty of death for throwing or secreting a bomb in public buildings was tossed in by Rep. John E. Mathews Jr., of Duval County.

The measure would permit the circuit judge who hears the case to reduce the penalty to life imprisonment if he sees fit.

Bomb Bill, Providing Death Penalty If Anyone Is Killed, Given to Senate

WASHINGTON — (UPI) — The Kennedy-Ervin bill against bombings of schools and religious institutions was offered in the Senate Monday.

Sens. John F. Kennedy (D., Mass.) and Sam J. Ervin Jr. (D., N. C.) had announced their plan to introduce such a bill. It would make shipment or possession of explosives with the intent to commit a bombing — a federal crime punishable by a $1,000 fine, a year in jail, or both.

If bombing killed anyone, the death penalty could be ordered. Threats of bombings could also be punished by a $1,000 fine, a year in jail, or both.

Bill OKs Death for Bombing

House Delays Patrolmen Hike

TALLAHASSEE — (UPI) — The House passed by a vote of 89-0 and sent to the Senate Monday a bill which would provide for a maximum penalty of death for terrorist bombings.

The lower chamber waded through a short calendar and adjourned until 10 a.m. today.

The terrorist bombings bill calls for the death penalty only if the bombing results in a death. The measure also makes it a felony to make false reports of a bombing. The bill has the backing of the Florida Sheriff's Association and was guided to passage by Rep. Doyle E. Conner of Bradford County. There was no debate on the measure.

The House postponed action on a couple of controversial measures, one of which would have authorized the hiring of 200 additional highway patrolmen.

The bill has the backing of the Legislative Council. Sponsors said they had action on the measure postponed "because there is still too much opposition to it."

Reps. Mack Cleveland of Seminole and C. Welborn Daniel of Lake County both have said they will try to kill the bill if it comes to the floor for a vote.

The House also temporarily passed up action on a bill which would exclude partners in partnerships from paying taxes on both personal and partnership stocks, bonds and cash deposits.

The House also failed to act on a bill which would take away the homestead exemption when an entire dwelling is rented.

A bill was introduced in the House which would authorize the State Road Department to adopt billboard advertising regulations complying with the Federal Highway Act of 1958.

The House got more bills providing for property tax assessments to be made at "assessed value" rather than "full cash value."

The bills were introduced by Rep. William G. O'Neill of Marion County who said, "I don't know what full cash value is and I don't think anybody else does."

O'Neill's plan calls for making assessments on the basis of assessed value in 1943 and other factors.

The House also got a bill providing for the creation of a county school fund for additional capital outlay. The bill, sponsored by the Legislative Council, calls for an appropriation of $12 million.

States Rights Bill Ballot Set For Today

Advertiser Montgomery, Ala. Wed. 6-24-59

WASHINGTON (AP) — House leaders Tuesday tentatively set a vote for Wednesday on a states rights bill that has divided both parties.

The Eisenhower Administration opposes the measure, which would provide that federal laws do not automatically supersede state laws in the same field.

But the House Republican Policy Committee endorsed the bill introduced by a conservative Southern Democrat, Rep. Howard W. Smith of Virginia. And most House Republicans on a test Monday cast their votes for considering the legislation.

Southern Democrats are practically solidly behind the bill, Northern and Western Democrats generally against it.

The Smith bill provides that a federal law would not supersede a state law in the same field unless Congress expressly so provided, or unless the two were plainly conflicting.

The Supreme Court has ruled in a number of cases, including a Pennsylvania sedition case, that federal law takes over from state law when they deal with the same national matter.

The Justice Department termed the Smith measure retroactive and said it would create tremendous confusion in many fields.

Republicans Aid Democrats

States Rights Bill Gets Approval In House Vote

News & Observer Raleigh, N. C. Thurs. 6-25-59

WASHINGTON (AP)—House Republicans jumped the Eisenhower administration line in droves Wednesday to help Southern Democrats pass a states rights bill, 225-192.

Only 30 Republicans voted against the bill, which President Eisenhower's top Justice Department officials repeatedly said would create a welter of uncertainty and litigation over federal and state laws in the same fields. A total of 162 Democrats also voted "no."

Republican Helps.

Siding with the 111 Democrats who voted for the bill—nearly all from the South—were 114 Republicans. Among them was GOP House Leader Charles A. Halleck of Indiana, who spoke on the Southerners' side during debate on a key amendment.

North Carolina's 12-member delegation voted solidly Wednesday in favor of a state's rights bill that passed the House of Representatives and went to the Senate.

Rep. Charles Raper Jonas, the lone Republican member of the delegation, joined 113 other GOP members in voting for the bill. The 11 Tar Heel Democrats were on hand to vote with the 111 party members on the affirmative side.

The senior Republican member of the Judiciary Committee, Rep. William M. McCulloch of Ohio, was one of the floor generals of the forces pushing for approval.

The bill now goes to the Senate where a similar measure died last year. It provides that a federal law does not take over from a state law in the same field unless Congress says so, specifically, or unless the two statutes cannot be reconciled.

It was variously described as a weapon pointed at civil rights and labor legislation, a reaffirmation of the Constitution, a slap at the U.S. Supreme Court and a leap into the dark, with unpredictable effects on scores of federal and state enactments.

The issue of communism and subversion contributed to the motion which frequently charged the three-day debate.

One of the key Supreme Court decisions involved reversed the conviction of Steve Nelson under a Pennsylvania sedition law. The court held the federal law had taken over the field.

The Southern Democratic - Republican coalition beat down all efforts to dilute the bill.

As the Republicans stood almost solidly to vote with the Southerners on one of these moves, Rep. Emanuel Celler (D-NY) offered an ironic compliment to "the entire phalanx of Republicans rushing to the aid of their attorney general."

The amendment Halleck spoke against was proposed by Celler. It sought to make the new rule apply only to laws passed from now on. Celler called it a test of sincerity for the proponents who had been saying their measure was not retroactive.

But the author of the bill, Rep. Howard W. Smith (D-Va), said the amendment was "obviously designed to destroy the bill."

Halleck said a rule that is good for future laws should be good for laws already on the books.

The vote was 225 to 192.

Despite strong Administration opposition to the bill, 114 Republicans poined 111 Democrats, mostly Southerners, in voting for it. Among them were all the top G.O.P. figures in the House, including the minority leader, Charles A. Halleck of Indiana.

Opposed to the bill on the final roll-call were thirty Republicans and 162 Democrats.

Limits Interpretation

The measure is designed to let state laws operate despite the existence of Federal statutes on the same subjects. To that end it limits to the circumstances in which the courts can hold that state laws are superseded by Federal legislation.

The bill provides that the courts may not interpret an act of Congress to pre-empt a field of legislation from the states unless Congress specifically expresses such an intention or "unless there is a direct and positive conflict between such act and a state law so that the two cannot be reconciled or consistently stand together."

In its only other section, the bill expressly overrules the 1956 Supreme Court decision in the case of Steve Nelson, a Pennsylvania Communist leader.

The court held there that state laws prohibiting advocacy of the Federal Government's overthrow could not be enforced because Congress had pre-empted the field in the Smith act of 1940.

The author of the Smith act, Representative Howard W. Smith, Democrat of Virginia, sponsored the bill passed today. He has been pushing it under the same number, H.R. 3, for several years.

Died in Senate Last Year

Last year the bill passed the House by a vote of 241 to 151—a considerably larger margin than today's. It was killed in the Senate during the final days of the session by a 41-to-40 vote.

The measure is under consideration by the Senate Internal Security subcommittee and there is no certainty that it will reach the floor.

The Justice Department has termed H. R. 3 the "most hazardous" bill before Congress. Its concern is over the fact that the measure would be retroactive, affecting all existing statutes as well as those passed in the future.

This point was emphasized today by opposition leaders, especially Representatives Emanuel Celler, Democrat of Brooklyn, and John V. Lindsay, Republican of Manhattan. They pointed out that the bill could create chaos in these fields.

¶Registration of aliens, held to have been pre-empted by Congress so that aliens do not have to comply with different state laws.

¶Railroad and other transportation safety rules. Federal regulations have been held to override state rules.

Opponents further pointed out that Congress had seldom bothered in the past to indicate a specific intent to supersede state laws. Hence, they argued, litigation to test existing legislation could overwhelm the courts.

Representative Celler moved to make the bill effective only as to future legislation. But Mr. Smith said this would "destroy the bill." The amendment lost, 195 to 129.

Supporters of the bill declined to say exactly what changes they thought it would make in the interpretation of past statutes. They said they simply wanted to give the courts a "clear" rue of construction.

The Republican leadership's support for the bill was generally regarded as an effort to secure the Southern Democrats' votes on budgetary and other matters.

The G. O. P. defection from the Administration was symbolized by the fact that Mr. Lindsay, a Freshman member, was the leader of the Republican opposition. Mr. Celler commented sarcastically at one point on "the phalanx of Republicans rushing to the aid of their attorney general."

Through the debate there were undertones of resentment toward the Supreme Court over decisions of the last few years, especially those dealing with communism.

Representative Donald L. Jackson, Republican of California and a member of the House Committee on Un-American Activities, told the house:

"My support for H. R. is, in major part, emotion."

HOUSE VOTES BILL ON STATES' RIGHTS

New York Times June 25 1959

Republicans Join Southern Democrats to Pass Curbs on Court by 225-192

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, June 24—A solid coalition of Republicans and Southern Democrats pushed a broad states' rights bill through the House today.

Flags drawn rapidly in the

House Approves States'-Rights Bill

Rejects 4 Attempts To Water Down Curbs on Top Court's Decisions

By ROBERT L. RIGGS
The Courier-Journal Washington Bureau

Washington, June 24.—The Supreme Court's critics in the House Wednesday beat back four attempts to water down their states'-rights bill restricting the effects of the justices' decisions. Then they sent the measure to the Senate by a vote of 225 to 192.

Although the victory came as expected, the margin of approval was smaller than Monday's test vote indicated. The loss reflected both the inflow of Northern Democrats brought in by last November's election and the recent "retreat" of the court on the issue of the right of states to convict persons accused of subversion.

Backers Got 60 Pct. In '58

Backers of the bill this year got not quite 54 per cent of the vote cast, in contrast to 60 per cent last year.

The legislation against the court was sidetracked 41 to 40 in the Senate last year by a bipartisan team led by Democrats Thomas C. Hennings of Missouri, John Carroll of Colorado, and Republicans John Sherman Cooper of Kentucky and Jacob Javits of New York.

The lower percentage by which the House passed the new bill led members of the Senate group to believe the addition of 15 Democratic senators there will provide them with new allies.

Coalition Backs Bill

With several exceptions, the supporters of the House bill were members of the long-familiar Republican - Southern coalition, led by Democrat Howard W. Smith of Virginia and Minority Leader Charles W. Halleck of Indiana.

Voting for the bill were 114 Republicans and 111 Democrats. Against it were 30 Republicans and 162 Democrats.

One of those who helped lower the percentage by which the bill was passed was Francis E. Walter, Pennsylvania Democrat.

As chairman of the House Committee on Un-American Activities, Walter last year worked vigorously for passage of the measure because, he said then, the Supreme Court, in the Nelson Case, had deprived the states of the right to try subversives.

Burke Explains Vote

But in arguing against the new measure Walter said the court's decision two weeks ago in the Uphaus case had made it clear that states do have the right to protect themselves from subversion.

Hence, the Pennsylvanian said, the subversion section of the proposed law is unnecessary.

Louisville's freshman Democrat, Frank W. Burke, pointed to Walter's position in support of his own vote against the measure.

In addition, Burke said that the bill went far beyond the question of the state's right to act against seditious persons.

It would, he said, cast a doubt on all federal regulatory laws in the field of pure food and drugs and of transportation.

Says Business Is Threatened

"I yield to no member in my detestation of subversive activities against the federal or State governments," Burke said, "but I cannot support this bill in its present form.

"Every interstate carrier, every packer and processor of food, every importer and exporter of goods, will be threatened with a relitigation of legal relationships which have been accepted as the law based on scores of decisions.

"If there is a corn on our jurisprudential toe, let us not seek to relieve the pain by amputating the leg at the hip.

"If the sponsors of this bill truly seek to define the respective interests of the State and of the Federal Government in the field of subversive activities, let them, by direct and positive action, propose legislation so aimed and they will find multitudes of supporters where they now meet opposition."

Perkins Opposes Bill

Burke and Carl W. Perkins, of Hindman, were the only Kentuckians who opposed the bill. The other six were recorded in favor of its passage.

The controversial section of the measure contains 74 words designed to prevent the Federal Government from pre-empting any field of authority from the states unless Congress specifically, in each measure, took power away from the states. It reads as follows:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

Although the bill's supporters denied it was designed to weaken present federal laws concerning labor unions, education, food and drug inspection and transportation, the House beat back each effort to specify in the bill that each of these fields was untouched.

'Taming' the Supreme Court

The House of Representatives has just passed by a vote of 225 to 192 a bill correctly described in our dispatch from Washington as a broad States' Rights bill. What the backers of the measure have in mind, however, is not so much to make the states more independent as to teach the Supreme Court what some people regard as a needed lesson.

During the past few years the court has rendered opinions which led a committee of the American Bar Association late last winter to maintain that "our internal security has been weakened by technicalities * * * which too frequently have had the effect of * * * freeing the subversive to go forth and further undermine our nation." The bar association's House of Delegates modified this proposed resolution before passing it, but there is no doubt that many lawyers, in and out of Congress, regard the Supreme Court as a hindrance to the pursuit of error and disloyalty. They cite the baffling case of Steve Nelson, who escaped the penalties of a Pennsylvania law against subversive actions because the Supreme Court held that the Federal Government had pre-empted the field.

The proposed law, H. R. 3, stipulates that the Federal courts may not hold an area in law to be pre-empted by the Federal Government unless Congress specifically says so. The Department of Justice, which is not sympathetic with subversion, describes the measure as "hazardous" and believes that it would cause confusion.

One might say that the present proposals have already caused confusion, especially among laymen who have always believed that nobody could deprive the Supreme Court of its basic jurisdictional power over "all cases in law and equity arising under this Constitution." The common sense of the matter seems to be that Congress already has, and should have, the right to declare in the text of a law what its intention is. This would remove some of the confusion.

It must remain true, however, that Congress cannot legislate away basic guarantees of the Bill of Rights, which include the right of an accused person to be confronted with witnesses and the evidence brought against him. The Communists are as dangerous to us as they can manage to be, but that is no reason why we should allow members of a Congressional committee, or anybody else, to deny the basic liberties and privileges to even the worse behaved.

The movement to hamper the Supreme Court has the less justification today, since a five-man majority of the court seems at the moment to be construing the rights of prosecutors in political cases somewhat more liberally than they did some years ago.

States' Rights Bill Passes

The States' Rights Bill, passed through the House by a 225-192 margin, can have two salutary effects, if it becomes law.

It can halt some of the shenanigans by the U. S. Supreme Court which actually brought about drafting of the bill.

It can serve as a clear and present warning to the court and particularly the Warren-Black and Douglas faction that the public, as represented by the members of Congress, has had enough of their brand of justice.

This same bill was passed last year by the House but was defeated by one vote in the Senate (as an amendment to another bill) in the closing days of the session. Most of the Southern senators supported it. Two who did not were Kefauver and Gore of Tennessee.

Alabama, of course, is looking to Senators Hill and Sparkman to go down the line for the measure.

The bill provides that an act of Congress cannot be construed as giving the Federal Government sole authority in any field in which the states also have laws, unless the Congress specifically says so when it passes the act or unless there's a "direct and positive" conflict between Federal and state laws.

It also says that state governments can prosecute cases of sedition against the Federal Government if they have state sedition laws, despite a Supreme Court ruling that a 1940 act of Congress made such cases the exclusive province of the Federal courts (an outgrowth of the Steve Nelson Case).

Already a change has been discernable in the court's complexion. The old Warren majority of some five or more justices has been reduced to a four-man minority in many cases, with new Justice Potter Stewart apparently being the "swing man" who has brought about the new alignment.

While the school segregation question is not definitely linked to this bill, it certainly is an integral part of any states' rights matter.

House passage came through a coalition of Republicans and Southern Democrats. If this coalition holds in the Senate, it should be possible to bring about passage there.

It's a bill which should be passed.

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ALABAMA

MR. WINSTON CRAIG
CHAUFFEUR-GOV. JAMES FOLSOM

Veteran Chauffeur Leaves State Job

Winston Craig, a Negro who has served as chauffeur for Alabama's chief executives since the administration of Gov. Frank Dixon, severed his connections with the state Tuesday as the new Patterson Administration took over.

Craig's departure had long been expected as aides to Gov. John Patterson had previously indicated the Negro's services would no longer be required when the new governor came in. Craig's salary at the time of his departure was $500 a month.

The new driver for the governor is veteran Highway Patrolman Thomas E. Posey. A member of the Patrol for 12 years, Posey was on duty in Choctaw County when assigned to the governor's office.

The 41-year-old Posey, a husky officer appropriately nicknamed "Punjab," was on special duty in the summer and fall of 1954 as Gov. Gordon Persons' bodyguard. He was given the assignment after Persons received several threatening telephone calls which came during the height of the Phenix City cleanup.

Specifically, Posey was named as aide, security officer and driver for Gov. Patterson.

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ALABAMA

Sam Engelhardt Elected Chairman Of State Democratic Executive Committee

In a drama-packed meeting and by the bare majority of one vote, Sam Engelhardt, former state senator from Macon County and new state highway director, was elected chairman of the State Democratic Executive Committee last Monday. The vote was 36 for Engelhardt and 35 for Frank Mizzell, Jr.

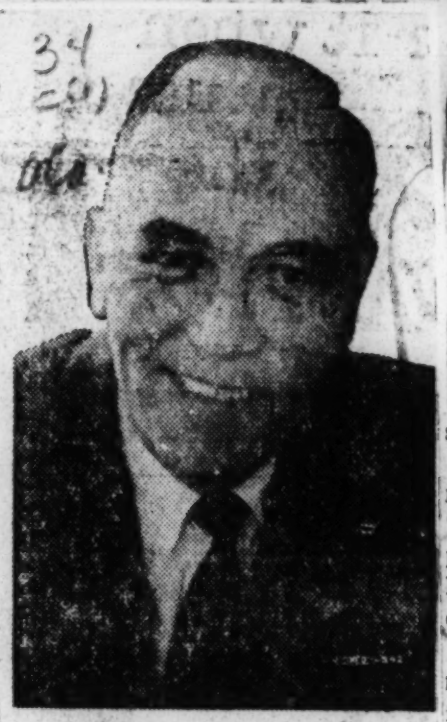
Engelhardt won with the active support of Gov. John Patterson, who contended that the state's chief executive should have a voice in the selection of the state party chairman. Both Engelhardt and Mizzell were active in the campaign last Spring which elected a maojrity of members pledged to revoke the party loyalty pledge which bound candidatees to support all party nominees at all levels.

In the hectic session Monday in which Engelhardt was returned winner the issue turned on the vote of S. Foy Williams, of Dothan who had passed without voting in the regular roll call and thus was able to break the tie vote of 35-35.

Immediately after the vote Chairman Engelhardt adjourned the meeting under protest of some members present. The meeting was held during the inauguration ceremonies for Gov. Patterson and Engelhardt said he dismissed the meeting to allow members to take part.

Wednesday Chairman Engelhardt announced that he will call a meeting of the committee sometime in February, at which time the so-called "loyalty oath" is expected to be revoked. A majority of the members were elected on th pledge to revoke the oath.

Also on the agenda for the February meeting will be election of the other officers of the state committee.



SAM ENGELHARDT

AT PATTERSON ADMINISTRATION

Corruption Charges Hurled

MONTGOMERY —(AP)— The Alabama House heard a report on "serious implications of corruption' in a Mobile County land condemnation action of the present administration.

Freshman Rep. Charles S. Trimmier of Mobile told his colleagues Thursday he had learned appraisers were urged to claim a land value of $180,000 as "an amount the state would not appeal."

Trimmier, a licensed Baptist minister, admitted not all the information he had received could be confirmed, but said he felt a full-scale investigation was justified.

Gov. John Patterson, after a conference with Finance Director Charles Meriwether, issued a brief statement that "the accusations are untrue, unfounded and malicious."

He said they will be answered on the floor of the House "where the charges were made." He did not say when or who would make the reply.

House members were the first to hear about the matter, which Trimmier said involved a large tract of Mobile County land condemned for a highway right of way.

The land was bought several years ago for $65,000 by E. E. Delaney of Mobile, whom Trimmier said became a Patterson campaign worker in the runoff election last year.

Delaney tried to get damages exceeding $250,000 for the property, the lawmaker said, but that Mobile commissioners last Friday awarded him $1 by "resisting the pressure which was applied for an alleged $180,000 (compromise)."

Trimmier said the commissioners appointed by Mobile Probate Judge Vernal Jansen to appraise the land and determine any damages were F. E. Wilkerson, Sidney W. Gill and H. Tom Cochran.

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ALASKA

Former L. A. woman first Negro in Alaskan House

Los Angeles has heard the good news of Mrs. Blanche McSmith former local resident, now of Anchorage, Alaska, being appointed to the Alaskan House of Representatives by Gov. William A. Egan.

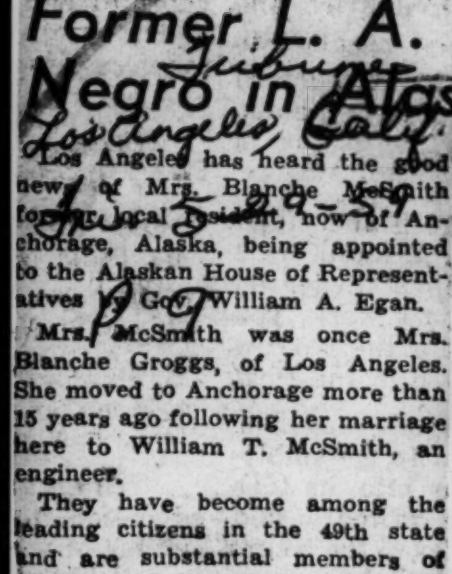
Mrs. McSmith was once Mrs. Blanche Groggs, of Los Angeles. She moved to Anchorage more than 15 years ago following her marriage here to William T. McSmith, an engineer.

They have become among the leading citizens in the 49th state and are substantial members of Anchorage's business community and were leaders in the fight for statehood.

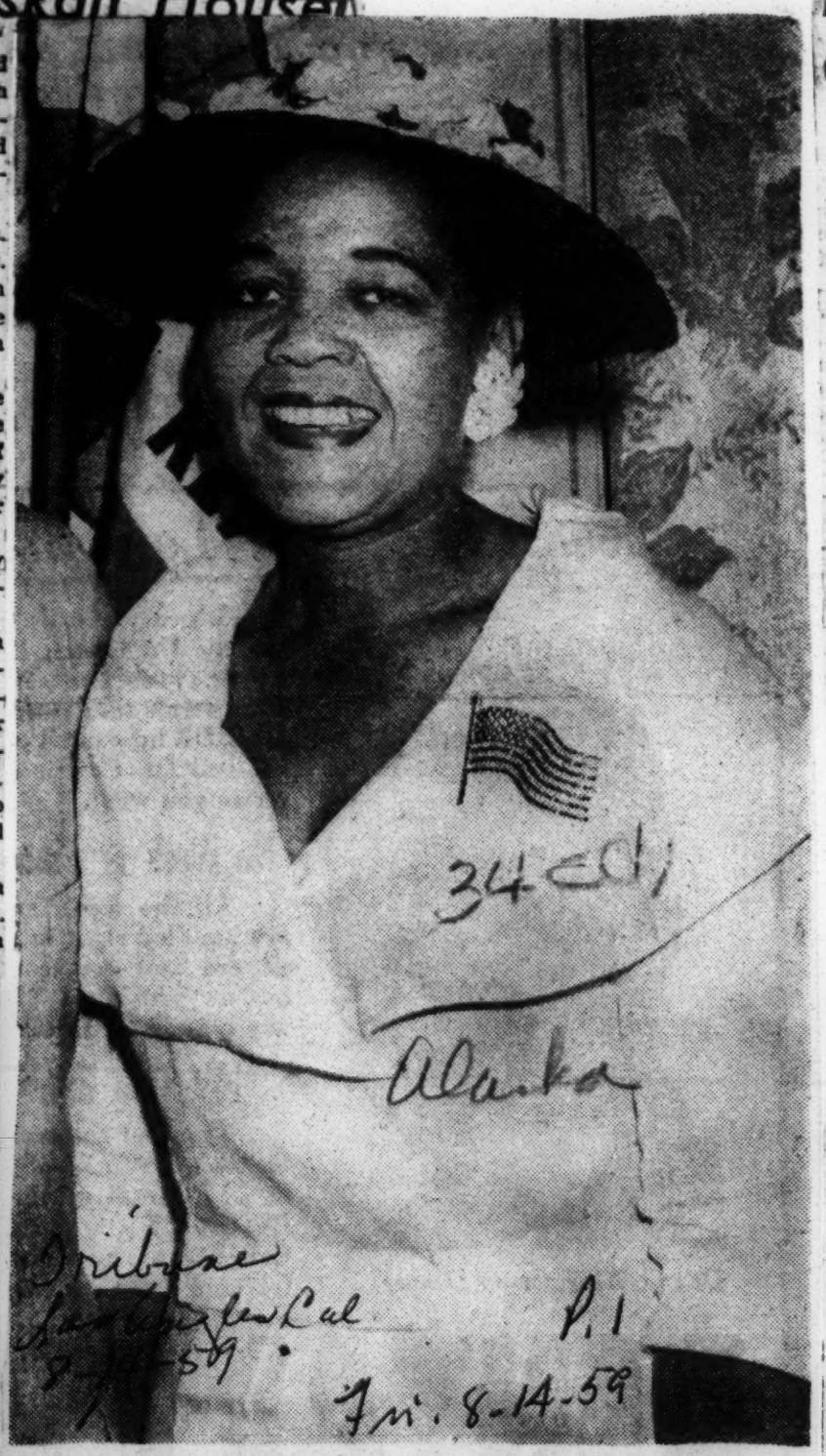
Mrs. McSmith was defeated by less than 200 vote for the Legislature last Summer.

Her appointment by Gov. Egan came about when former state representative John Rager became attorney general. The governor chose her over five others, including a veteran of the Alaskan House. A Democrat, she is the first Negro in the House and will serve until 1960.

Mrs. McSmith was active in Alpha Kappa Alpha sorority here. She took her bachelor's degree in sociology from USC.



MRS. BLANCHE McSMITH



ALASKAN LEGISLATOR — Los Angeles was host this week to Mrs. Blanche McSmith, a former local resident, who has come to national prominence as a newly appointed member of the Alaskan State House of Representatives.

Mrs. McSmith paid her first visit to Los Angeles since her appointment by the Governor of the 49th state, to address a local group. She is a graduate of USC and one of four women in the Alaskan legislature. She urged qualified people to go to Alaska, "the largest state in the union," and predicted in her address that by 1970, there will be no place in the new state for the unskilled.

Mrs. McSmith, from Alaska, almost gets key's to city

Illustrated on page 1

Mrs. Blanche McSmith, who left Los Angeles a plump and obscure housewife almost 20 years ago, was practically handed the keys to the city upon her return in an official capacity this week as a chic, knowledgeable member of the legislature of Alaska.

The former local woman, who was well known two decades ago in the Negro community, chiefly for her devotion to her sorority, Alpha Kappa Alpha, was recently appointed to the lower house by Alaska's Governor after losing the seat by a narrow margin in the elections of the 49th state of the union.

A frequent visitor to the Mainland, she was here this time to address the Los Angeles Roundtable, a local civic group, at the Broadway Federal Savings and Loan Association.

She was received by Mayor Poulson on Monday and the Board of Supervisors on Tuesday, among the official honors accorded her.

Although she definitely intends to run in 1960 for election to the seat to which she was appointed, Mrs. McSmith said her future political career would depend on her husband, Bill, an engineer and appliance store operator in Alaska.

She wouldn't "consider Congress," she said, answering reporters at a press conference Saturday because she is satisfied with the representation both Alaska and the Democratic party, of which she is an avid member, have now.

ALASKA PREDOMINANTLY DEMOCRATIC

Alaska is predominantly Democratic, Mrs. McSmith assured Democrats among her questioners. For example, of its four women legislators all are Democrats.

The new state is also democratic with a small 'd'.

It has had a Public Accommodations law since 1945 and FEPC since 1953, which pre-date California considerably.

However, the new state representative plans to amend the Public Accommodations law because when it was passed, swimming pools, motels, trailer courts, and the like, weren't thought much about. Now in vogue, they can escape being democratic if their owners like because of loopholes in the law.

"SPECIAL SCHOOLS" FOR INDIANS, ESKIMOS

The only "segregation" in Alaska is in the special schools maintained by the federal government for Indians and Eskimos. This is because they have special cultural problems which people from the Mainland don't have.

However, Mrs. McSmith warns of some erosion of Alaskan democracy in the form of employment discrimination. Alaska is 'open shop', in the sense that employers call the unions for help, specifying the men they want by name.

Although Negroes belong to the unions, they complain that many times they are not hired. Some of them complain against the unions . . . the unions say it is in the employers. Whatever the case, the Negro worker is caught in between.

There is also some discrimination in the rental of private housing, she said.

Mrs. McSmith estimates that there are between 7000 and 8000 Negroes in Alaska's population of 225,000, the largest concentration, between 2500 and 4000, in Anchorage. There are 22,000 Eskimos, a "few Orientals," the rest are Caucasians.

As a further example of the integration there, she pointed out that the one Negro dentist, Dr. Joshua Wright, who "is doing very well," has only four Negroes among his patients.

Anchorage also boasts a Negro woman lawyer now, by reciprocity from Illinois. She is Atty. Mahalia Dickerson.

Mrs. McSmith advises "young educated" Negro men to go to Alaska. Those with qualifications are doing well. But she admits to a certain top-heaviness of people who are "on the low end of the totem pole," that is unskilled. By 1970, Mrs. McSmith estimates, there will be no place in Alaska for unskilled workers.

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APPOINTED MEMBER OF
FOREIGN LANGUAGE INSTITUTE STUDY COMMITTEE

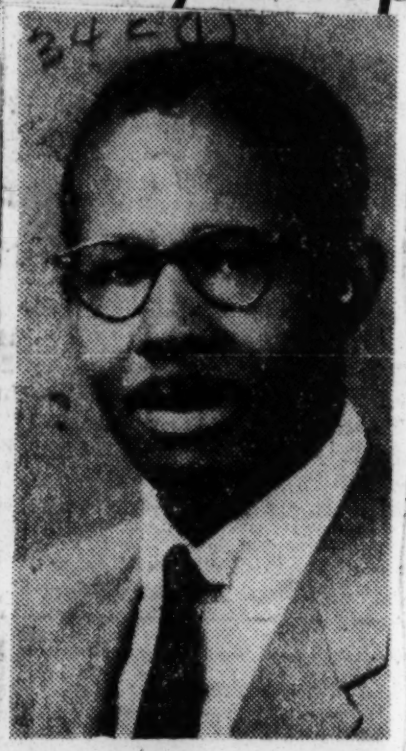
Va. Professor Appointed To Language Study Group

Journal & Guide p.20
Norfolk, Va.
Aug 15 1959
34c(1)

PETERSBURG — Dr. William T. Carter, head of the department of Foreign Languages at Virginia State College, has been appointed a member of the Foreign Language Institute Study Committee to study the foreign language institutes approved for operation this summer under the provisions of the National Defense Education Act of 1958.

The study will be conducted by Middlebury college under contract with the U. S. Office of Education and will be directed by Dr. Stephen A. Freeman, vice-president and director of the Language Schools of Middlebury.

The institutes approved for this summer and to be visited by two-member teams of the study committee are located at Colgate university, Hollins College, University of Georgia, University of Texas, University of Missouri, University of South Dakota, University of Francisco State college, University of Michigan, University of Maine, University of Colorado and Louisiana State College.



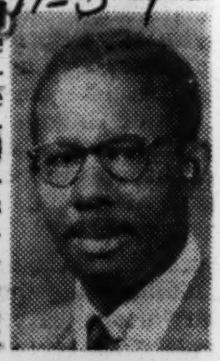
DR. WILLIAM T. CARTER
Study Group

iddlebury Colleg. . . der contract with the U. S. O.ice of Edu.on, and will be directed by Dr. Stephen A. Freeman, vice president and director of the language schools of Middlebury College.

Appointment To Dr. Carter

Courier Post
Camden, N.J.
Aug 17-59

PETERSBURG, Va. — Dr. William T. Carter, head of the department of languages of Virginia State College, Ettricks, Va., has been appointed a member of the Foreign Language Institute Study Committee to study the 12 foreign language institutes approved for operation this summer under the provisions of the National Defense Education Act of 1958.



Dr. Carter

The study will be conducted by

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CALIFORNIA

California Appoints Negro

SACRAMENTO, Calif., Jan. 19.—Gov. George L. Thomas, Los Angeles attorney, was named today inheritance tax appraiser for the state. He is the first Negro to hold the post.

COSMETOLOGIST APPOINTED—Mrs. Faye Mitchell is congratulated by Assemblyman W. Byron Rumford on being the first Negro woman to be appointed by Gov. Edmund (Pat) Brown of California to the Board of Cosmetology. Mrs. Mitchell is an outstanding citizen of Oakland, Calif.—E. F. Joseph Photo.

Mrs. Mitchell - Given Post By Governor

OAKLAND, Calif.—Mrs. Faye Mitchell, beautician and outstanding community worker, has been appointed for a four-year term as a member of the Board of Cosmetology in California.

A graduate of the Walker College of Beauty Culture, with instructor's training, Mrs. Mitchell also has had two years of training at the University of New Mexico.

A charter member of Alpha Phi Omega Fraternity and Sorority, she was its first basileus. She is president of Tau Gamma Delta, a business group, a member of the community board and assistant secretary of the Oakland branch NAACP; is secretary of the East Bay Democratic Club, and served as secretary for the Brown for Governor Committee in the 17th Assembly District during the last election.

Brown Names Brewer to High Post

JOHN BREWER ... $16,500 post

SACRAMENTO, Calif.—Gov. Edmund G. Brown this week nominated John W. Brewer of Los Angeles for appointment to a four-year term on the Adult Authority.

Brewer, 43, replaces Everette M. Porter of Los Angeles, whose term expired March 15. His appointment to the $16,500-a-year post requires confirmation by the State Senate.

The Adult Authority sets terms of sentences of convicted persons and considers and passes on applications for parole.

California Man Nominated To $16,500 Adult Authority Post

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The Adult Authority sets terms of sentences of convicted persons and considers and passes on applications for parole.

Brewer is probation director in charge of the Southwest Area Office of the Los Angeles County Probation Department. He is a graduate of Fresno State College (1937) and took graduate study at UCLA and the University of Southern California.

He is a former recreation director for the Los Angeles City Schools and Los Angeles County Parks and Recreation Department and a former social worker with the State Relief Administration.

He organized and directed a program for under-privileged boys for the Fresno YMCA.

Brewer has been in the Los Angeles County Probation Department since 1941. He was first assigned to juvenile work, then to supervisor of the Group Guidance Unit from 1945 to 1954. He has held his present post since the latter date.

Brewer and his wife, Joyce, live with their 8-month-old daughter, Jeannine, at 1173 Browning Boulevard, Los Angeles.

JOHN W. BREWER

California Appoints Negro As An Assistant FEPC Chief

Governor Edmund G. Brown today announced the appointment of D. Donald Glover of Los Angeles as assistant chief of the Fair Employment Practices Commission staff.

Glover, 52, left teh post of western advertising manager of Johnson Publishing Co., Inc., to take over as the number two man in the new agency under Edward Howden.

From 1946 to 1958, Glover was director of industrial relations of the San Francisco Bay Area Urban League, and was alos acting executive secretary of the organization for a year.

A graduate of West Virginia State oCllege, he also did advanced work in economics at Ohio State University and at Dayton University.

He has also been a secondary school principal, an ordnance depot supervision and a man-

D. D. GLOVER

power utilization specialist with the War Manpower Commission.

He is married and has one daughter.

Don Glover Named To FEPC Staff

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He has also been a secondary school principal, an ordnance depot supervisor and a manpower utilization specialist with the War Manpower Commission.

Negro named FEP staff assistant

Governor Edmond G. Brown has announced the appointment of D. Donald Glover, of Los Angeles and San Francisco, as assistant chief of the Fair Employment Practices Commission staff. Glover is the second Negro to be associated with the Commission. The first was C. L. Dellums, who is a member of the Commission, itself.

D. DONALD GLOVER

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He is married and has one daughter.

S. F. Negro Named Inspector Juvenile Unit

Californian Voice
Oakland, Calif.
Jri. 10-16-54.

Sterling Weatherspoon, 40 was appointed Tuesday of this week as an assistant police inspector in the Juvenile Bureau.

Police Chief Thomas J. Cahill said Weatherspoon was the second Negro to be promoted to an office of that rank in the department.

Last March John Finney was named an assistant inspector in the same bureau.

"Weatherspoon has been doing outstanding work in the Juvenile Bureau," Chief Cahill said. An 11-year veteran, Weatherspoon joined the Juvenile Bureau in 1957.

First Negro Presides Over Connecticut House

HARTFORD, Conn.—Wilfred X. Johnson, Negro Democrat from Hartford, presided over the State House of Representatives here last week, marking the first time a Negro has ever handled the post.

Johnson was invited to take over the rostrum by House Speaker William O'Brien. He is the first Negro ever elected to the Connecticut House.

Johnson is picked for Rights post

WASHINGTON

President Eisenhower Tuesday nominated George M. Johnson, former dean of the Howard University Law School, to succeed the late J. Ernest Wilkins as a member of the Civil Rights Commission.

The nomination was referred to the Senate Judiciary Committee of which Sen. James O. Eastland of Mississippi is chairman. Informed sources expect Mr. Johnson to be confirmed without any difficulty.

Born in Albuquerque, N.M., May 22, 1900, Mr. Johnson has been a resident of California since 1901. He spent his childhood in San Bernardino where he attended the public schools and where his father, William S. Johnson, still resides.

DR. JOHNSON is a World War I veteran and holds an A.B. degree from the University of California where he also received his LL.B. degree.

Upon graduation from law school he was awarded the Sheffield - Sanborn Scholarship for graduate study and completed residence work in taxation at the university. He was awarded the degree of Doctor of Juristic Science in 1936.

Dr. Johnson was admitted to practice law in California in 1929, and from 1930 to 1933 he was engaged in private practice in Berkeley.

In 1933, he was appointed inspector for the California State Board of Equalization and assisted in the interpretation and administration of the state's first Liquor Control Act.

IN 1934, after a civil service examination, he was appointed junior assistant tax counsel to the board. In 1936 he was promoted to senior assistant tax counsel to the board and in 1939 moved to Sacramento, the headquarters of the Board.

In 1940, Dr. Johnson accepted an assistant professorship on the Howard Law School faculty.

He took a leave of absence in 1941 to serve with the President's Fair Employment Practice Committee, remaining on the staff of this agency until 1945, serving first as assistant executive secretary and later as deputy chairman and acting general counsel.

Dr. Johnson returned to Howard in 1945 as full professor of law, and in 1946 he was appointed dean of the law school. He resigned that position in May, 1958, to become Director of the Office of Laws, Plans and Research of the Civil Rights Commission.

* * *

HE HOLDS membership in the California Bar, the U.S. Supreme Court Bar, American Bar, Association (Section on Taxation), National Bar Association, the Association of American Law Schools, the American Law Institute (honorary);

The National Education Association, the American Association of University Professorts, the NAACP's National Legal Committee, the American Judicature Society, the Board of Directors of the District of Columbia Legal Aid Bureau, and the Advisory Committee of the District of Columbia Juvenile Court.

Dr. Johnson is married. His wife has a son by a former marriage who is a lieutenant in the Air Force.

Dawson, Powell, Diggs Have High Truancy Rate

WASHINGTON — (UPI) — Congressmen Adam Clayton Powell (D-N.Y.), William L. Dawson (D-Ill.) and Charles C. Diggs (D-Mich.) were among the 46 House members who missed at least 100 roll calls during the two years of the recent 85th Congress, a compilation showed today.

Of the three Powell was highest with 327 absences out of a possible 415 recorded votes. Dawson was next with 201 and Diggs was third with 172.

Leading the list with 329 "truancies" out of 415 recorded votes and quorum calls was Rep. Charles A. Buckley (R-N.Y.). Buckley recently figured in the news when it was determined that his entire office staff, paid for out of government funds, was working in New York City rather than Washington.

On the credit side, 24 members during the last Congress missed less than 10 roll calls. Rep. Paul F. Schenck (R-Ohio) turned in a perfect attendance record. He answered all of the 193 roll call votes and 222 quorum calls.

The statistics were compiled from the Congressional Record by Svend Petersen, who works for a non-political religious group here. He pointed out that he has no political ax to grind in producing the figures but is concerned personally by what he called "truancy" on the part of some House members.

FORGETS SOUTH

Petersen said he did not keep track of the attendance records of Southern House members because they very often have only nominal political opposition and therefore are seldom criticized for coming and going as they wish.

Of the 303 others, he has carefully charted their performance.

House quorum calls are used to make certain how many members are present when important legislation is pending. Roll call votes mean a member has answered present and cast his ballot for or against a bill.

Illness, urgent political campaigning back home, or assignment to key committees such as Appropriations or the tax-writing Ways and Means committee often prevent a member from responding to roll calls. In other cases, members ask formal permission to be absent when they know they must be away for certain periods.

According to Petersen's records, these were the leading absentees when there were 415 roll calls:

Buckley, 329; Adam Clayton Powell (D-N.Y.) 327; Lester Holtzman (D-N.Y.) 225; Dean P. Taylor (R-N.Y.) 207; William J. Dawson (R-Ill.) 201; John V. Beamer (R-Ind.) 185; Clarence E. Kilburn (R-N.Y.) 184; Charles C. Diggs, Jr., (D-Mich.) 172; Emanuel Celler (D-N.Y.) 161; Victor L. Anfuso (D-N.Y.) 160; Clare Engel (D-Calif.) 159); John F. Shelley (D-Calif.) 153, and Noah Mason (R-Ill.) 152.

William E. Miller (R-N.Y.) 149; George H. Christopher (D-Mo.) now dead, 143; William J. Green (D-Pa.) 136; Winston L. Prouty (R-Vt.) 134; Leroy H. Anderson (D-Mont.) 127; Brent Spence (D-Ky.) 125; James C. Oealey (D-N.Y.) and William A. Barrett (D-Pa.) 123.

Carroll B. Reece (R-Tenn.) and Charles B. Brownson (R-Ind.) 117; Ludwig Teller (D-N.Y.) 116; Leonard Farbstein (D-N.Y.) 115; John E. Fogarty (D-R.I.) and William S. Maillard (R-Calif.) 111; Toby Morris (D-Okla.) 110; A. S. J. Carnahan (D-Mo.) 109; Frank Clark (D-Pa.) 108; Bob Wilson (R-Calif.) 107; Charles S. Gubser (R-Calif.) and Morgan Moulder (D-Mo.) 104; Wayne L. Hays (D-Ohio) and Gordon H. Scherer (R-Ohio) 102; Thaddeus Machrowicz (D-Mich.) 101; Cleveland M. Bailey (D-W. Va.), Alvin M. Bentley (R-Mich.), Donald M. Jackson (R-Calif.) and Eugene J. McCarthy (D-Minn.) 100.

The least absences were recorded for the following:

Schenck, none; Marguerite Stitt Church (R-Ill.), Frank M. Karsten (D-Mo.), William H. Natcher (D-Ky.), Barratt O'Hara (D-Ill.), Melvin Price (D-Ill.) and Albert H. Quie (R-Minn.) one each.

John F. Baldwin (R-Calif.), Clarence J. Brown (R-Ohio), Richard A. Poff (R-Va.) and Henry S. Reuss (D-Wis.), two; Roland V. Libonati (D-Ill.) three each.

John H. Ray (R-N.Y.) and Edward H. Rees (R-Kansas), four; Thomas M. Pelly (R-Wash.), five; Gracie Pfost (D-Idaho) and Phil Weaver (R-Neb.), six; Charles Raper Jonas (R-N.C.) and Cecil R. King (D-Calif.), seven; Paul Cunningham (R-Iowa), Willard S. Curtin (R-Pa.), Harlan Hagan (D-Calif.), F. Jay Nimtz (R-Ind.) and Donald E. Tewes (R-Wis.), nine.

Irving Ferman Appointed To Anti-Bias Group Post

WASHINGTON, D. C. —Vice President Richard Nixon has announced the appointment of Irving Ferman as executive vice chairman of the President's Committee on Government Contracts.

The committee, of which Nixon is the chairman and Secretary of Labor James P. Mitchell the vice chairman, works to broaden equal job opportunity throughout the United States. Government contracts under existing regulations must include a clause prohibiting discrimination in employment because of race, religion, color or national origin.

MR. FERMAN, as the new executive vice chairman, will be responsible to the vice president and the secretary of labor for the execution of committee policy as determined by its 16 members drawn from private life and governmental agencies. He formerly was the director of the Washington, D. C. office of the American Civil Liberties Union until May of this year when he began serving as consultant to the committee.

Mr. Ferman, 39, served with World War II as a Navigator. A graduate of Harvard Law school,, he was a member of the New Orleans law firm of Provensal, Faris, and Ferman before coming to Washington in 1952. He is a member of the Louisiana State and U. S. Supreme Court Bars.

FROM 1953 until 1956 Mr. Ferman was vice chairman of the National Civil Liberties Clearing House. In 1957 he was on the Citizens' Committee of the United States Commission on Government Security.

His wife is the former Bertha Paglin of New Orleans. They have two children, James and Susan.

Johnson confirmed for rights position

WASHINGTON

On being notified that the Senate had confirmed his appointment Thursday as a Commissioner of the Commission on Civil Rights, Dr. George Marion Johnson displayed a brand of humility which has been characteristic of him through the years.

He said simply, quietly:

" Quite naturally, I am gratified by the Senate's voice-vote confirming my nomination to membership on the Commission on Civil Rights. However, I leave the position of director of the Office of Laws, Plans and Research of the commission's staff with mixed emotions. Working with a staff of competent, sincere and very loyal people for the past year has been a most rewarding experience."

* * *

THE FORMER dean of Howard University's Law School, who was named by President Eisenhower on March 10 to fill the vacancy created by the death of J. Ernest Wilkins, said the nature of the commission's statutory assignment is such that the public generally cannot be kept advised of the careful and painstaking efforts of the staff.

Dean Johnson, who celebrated his 59th birthday last month, is a realist on racial questions who feels that the laws are not, as he puts it, "the ultimate answer to the problem."

He believes the most important thing is not to find out how abuses happen and provide penalties, but to determine why they happen.

He hopes that by marshaling the best brains in the social sciences, the answer may be found and the causes of racial prejudice eliminated.

HE SEES continued gains being made in the battle against prejudice, and places major importance on "keeping open the lines of communication" between the races in the hope that differences may be ironed out through negotiation and understanding.

How well he has fulfilled the requirements of his assignment were emphasized by Gordon M. Tiffany, Staff Director of the Commission on Civil Rights and former Attorney General of New Hampshire. On supporting Dr. Johnson's nomination before the Constitutional Rights Sub-Committee of the Senate Judiciary Committee, Mr. Tiffany gave him a strong endorsement.

Funeral Held For Youth Fitness Group Official

LOUISVILLE, Ky. — (NNPA) — Funeral services were held here Tuesday (Dec. 1) for Joseph R. Ray, Sr., chairman of the Housing and Home Finance Agency Committee for Youth Fitness.

Services were in the West Chestnut Street Baptist Church. Burial was in Zachary Taylor Cemetery here.

Mr. Ray, 72, died of a heart attack at his home in Washington, D.C., on Nov. 24.

At the time of his death, he was Assistant for Youth Fitness to the Housing and Home Finance Administrator, and represented the Administrator in the agency's work with President Eisenhower's Committee on Youth Fitness.

From 1953 to last May, Mr. Ray served as director of the Racial Relations Service in the Housing and Home Finance Administration.

A native of Bloomfield, Ky., Mr. Ray graduated from Kentucky Normal and Industrial Institute — now Kentucky State College. He did post - graduate work at the University of Chicago, and studied business administration at LaSalle University in Chicago.

He served as a lieutenant in World War I. In Louisville he became president of the First Standard Bank, and in 1930 he entered the real estate and general insurance business. He developed a housing project and a subdivision here, valued at over $1,000,000.

He also served as a buyer and appraiser for the Louisville Housing Authority and the Louisville Board of Education.

Mr. Ray was a charter and life member of the National Association of Real Estate Brokers. He had served on its board of directors and executive committee. He also was affiliated with the Louisville Board of Equilization, the Selective Service, the City Chamber of Commerce, the NAACP, the Phi Beta Sigma Fraternity, the YMCA, and the Urban League.

Surviving Mr. Ray are his widow, Mrs. Ella H. Ray; a son, Joseph R., Jr., of Louisville; a sister, Mrs. Anna Hale; a brother, John G. Ray, and four grandchildren, all of Louisville.

Joseph Ray

Joseph R. Ray, 72, assistant for youth fitness to the administrator of the Housing and Home Finance Agency, died of a heart attack Tuesday in his home at 2705 18th St. NE. He had assumed his post in May, represented Housing Administrator Norman P. Mason on the President's Committee on Youth Fitness.

Mr. Ray

Before his last assignment, he was director of the Agency's Racial Relations Service for six years.

Surviving are his wife, Ella, and a son, Joseph R. Jr., of Louisville.

Services and burial will be on Tuesday in Louisville.

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D.C.

Four Negroes In 86th Congress

WASHINGTON, D. C. — (ANP) — A total of four Negro congressmen will be among the 534 lawmakers to be sworn in when the 86th Congress convenes today.

All members of the House of Representatives, they are Congressmen William L. Dawson, Chicago, Ill.; Adam Powell, Jr., New York City; Charles Diggs, Detroit, Mich., and Robert Nix, Philadelphia, Pa.

The new House will consist of 283 Democrats and 153 Republicans. The Senate is divided 64 Democrats to 34 Republicans. For the first time, the new State of Alaska will be represented by one member of the House and two members of the Senate.

Dean of Negro representatives is Dawson, who is starting his eighth term as representative of Illinois First Congressional District. One of the leaders of the House, Dawson heads the all-powerful House Appropriation Committee.

Powell, who fell into disfavor with the Democrats after bolting the party to vote for President Eisenhower, is believed to be back in good graces and in line for a committee chairmanship. He reportedly was assured such a position for supporting Gov. Averill Harriman in the November 4, 1958 election for the New York governorship. Harriman lost to fellow millionaire Nelson Rockefeller.

Nix is a freshman on Capitol Hill.

Among the many measures before the new Congress will be demands for stronger civil rights laws, and the amending of Senate Rule 22 to end filibuster. The filibuster has been the Dixiecrats chief weapon with which to defeat civil rights proposals.

Justice Dept. Posts Go to 2 From Area

Two area residents, Norman E. Bayles and William C. Pryor, have been appointed to Justice Department posts under the Attorney General's Recruitment Program for Honor Law Graduates.

Bayles, who lives at 10103 McKenney ave., Silver Spring, will join the tax division staff. He is a graduate of Cornell University Law School.

Pryor, of 810 Longfellow st. nw., has been assigned to the Civil Division. He attended Dartmouth College and Georgetown University Law School.

Under the Attorney General's plan, outstanding graduates are chosen from 42 leading law schools and receive training in several phases of Justice Department activities.

William C. Pryor, Norman E. Bayles ... recruited by Justice

Robert M.C. Nix, elected 1958

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D.C.

Rise Of Africa In 20th Century Dr. Brice's Topic

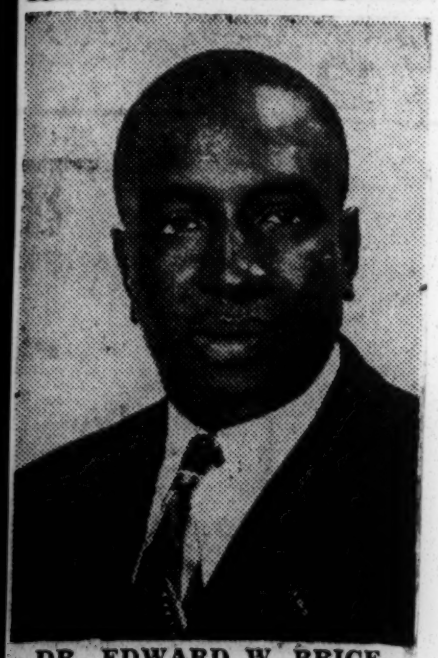
Journal and Guide
Norfolk, Va
Sat. 10-24-59
B+E
p. 11

RICHMOND — The phenomenal rise of Africa in the 20th century will be described by Dr. Edward W. Brice, specialist in the United States Office of Education, during the meeting of the Virginia Teachers Association.

Dr. Brice will speak at a special workshop of The Study of Africa, which will be held in the auditorium of Coburn Hall, Virginia Union University, at 9 p.m. Friday, Oct. 30. The workshop, and one on Earth Satellites, are new features of the convention this year.

DR. BRICE, who will speak one the subject: "Land of Evolving Greatness, holds an honorary LL.D. degree from Monrovia College in Liberia. He is the author of several monographs and articles on higher education, research, and African education.

Since 1958, he has been an educational specialist in fundamental and literacy education in the adult education section of the Office of Education.



DR. EDWARD W. BRICE
VTA Speaker

Negro Boy's Hope of Job as House Page Dwindling

BY PHILIP WARDEN

[Chicago Tribune Press Service]

Washington, Feb. 2—Rep. Barratt O'Hara [D., Chicago] appeared stymied Monday in his move to make James A. Johnson, 14, of Chicago the first Negro page boy in the history of the House of Representatives.

The House met and adjourned without the introduction of the resolution to increase the number of House pages from 50 to 51, thereby creating a page boy job for the young Chicagoan. O'Hara said last week he might file such a resolution.

15 Others Await Jobs

Two things convinced O'Hara the resolution would be futile, he said. They are:

1. Rep. Francis Walter [D., Pa.], chairman of the House Democratic patronage committee, told newsmen he had 15 boys waiting for page boy jobs and they had first call if a special job is created.

2. Rep. James Roosevelt [D.,Cal.], who suggested the resolution and told O'Hara he would be co-sponsor, has been making almost daily attacks on the house committee on un-American activities, of which Walter is chairman, and is seeking to abolish it. Consequently, Walter would be cold to any other Roosevelt suggestions.

Notified Job Was Open

O'Hara said that he would like to see Walter introduce a resolution himself, to provide a position for the boy, since a mixup in the patronage committee created all the confusion over whether or not there was a page boy job open.

The patronage committee notified O'Hara that it had a job available for the boy. But the committee thought that O'Hara was co-sponsoring with Rep. Thomas J. O'Brien, dean of the Illinois Democratic delegation, a page appointment wanted by Col. Jacob Arvey. This was not the case, as the other boy already had taken office.

O'Hara said the patronage committee later told him of its error. He said he told young Johnson of the mixup. He further told Johnson he believed that he would have a page boy job for him about Feb. 1, and Johnson could do as he pleased about coming to Washington. The boy arrived last Wednesday, and remains in town with no job in sight at the moment.

Gets No Support

The Illinois Democrats in Congress are steering clear of O'Hara and letting him sink or swim by himself. O'Hara failed to tell O'Brien or Walter that Johnson was a Negro. Since the boy's aunt, Miss Ethel Payne, who arranged for O'Hara to make the appointment is a writer for the AFL-CIO committee on political education [COPE] the situation O'Hara has created can prove difficult for House Speaker Sam Rayburn [D., Tex.] and the entire Democratic party. O'Brien cannot forgive O'Hara for this.

A report was circulated that young Johnson would not be the first Negro page in the history of the House—that Morris Lewis Jr., whose father was the secretary of Rep. Oscar De Priest [R., Chicago], a Negro who served in Congress from 1929 thru 1934, was the first Negro page.

Morris Lewis Jr. said in an interview that these reports were not true. He said that his brother, Bernard B. Lewis a teacher in Chicago's Mosley school, was the first Negro page in the Illinois legislature, which may have given rise to the reports. He said neither he nor his brother ever were pages in the United States House of Representatives.

FIVE WILL SPLIT PAY FOR NEGRO

Plan Would Put Him in Page Boy School

WASHINGTON (UPI) — Five congressmen have come up with a plan which would put Jimmy Johnson Jr., Negro of Chicago in the congressional page boy school despite his failure to get a House page boy's job.

The five—four Democrats and one Republican—were arranging to put the 14-year-old boy on their office payrolls as a messenger March 1.

Each would pay him $85 a month. The total would be close to a page boy's salary of $337.28 a month and the job itself would make Jimmy eligible to enroll in the page boys' school.

Jimmy came to Washington last month for a page boy job but failed to get one because there were no vacancies. His sponsor, Rep. Barratt O'Hara (D-Ill.), had thought there was an opening.

It was believed that Jimmy would have been the first Negro to serve as a congressional page.

O'Hara has been trying to repair the damages resulting from the snafu. The joint payroll plan, brainchild of Rep. James Roosevelt (D-Calif.) seem to be the solution.

But there's still one cloud on the horizon.

Chairman Omar Burleson (D-Tex.) of the House administration committee introduced legislation which would ban putting anyone on more than one congressman's payroll. Burleson acted in the wake of publicity about the widespread practice. Carried to an extreme, it could mean an employe could earn many times more than any single congressman.

The other four congressmen who agreed to join Roosevelt in sharing Jimmy's paycheck are: Reps. Quentin Burdick (D-N.D.), William H. Ayres (R-Ohio), Martha W. Griffiths (D-Mich.) and Bryon L. Johnson (D-Colo.).

Miss Ethel Payne, Jimmy's aunt and a writer for the AFL-CIO committee on political education, said Jimmy's parents already have written letters to each of the five granting consent.

Jimmy has been living at his aunt's Washington home and temporarily attending one of Washington's integrated public high schools.

Jimmy, who wants to be a doctor, said the admission to the page boy school has been his dream for years.

"I've got a much better chance of getting a scholarship by going there," he said. "And I'm going to need one to study to be a gynecologist because we're not rich."

First Negro Page Arrives, But Finds All Jobs Filled

WASHINGTON (AP)—James A. Johnson Jr., 14-year-old Negro, arrived here Wednesday from Chicago to accept a page boy job to which, the head of the House Patronage Committee said, he had never been appointed.

Rep. Francis E. Walter (D-Pa), head of the three-man committee which does our patronage in the House, said he regretted that Johnson had made the trip.

"His race had nothing to do with it," Walter told a reporter. "We didn't even know what his race was. There are many Negroes on the patronage rolls. There just wasn't a vacancy for the Johnson boy because the appointment already had been given to a boy recommended by Tom O'Brien (Rep. Thomas J. O'Brien of Chicago)" a Democrat. There is only one page position available for the Chicago area.

Johnson had the endorsement of Rep. Barratt O'Hara, a Chicago Democrat.

"I told O'Hara not to send the boy here because there was no job open for him," Walter said.

Miss Ethel Payne, an aunt with whom Johnson had planned to live while in Washington, said she asked the boy's parents to send him here after O'Hara told her the appointment had been approved.

Liberals Asked To Create Page Job for Negro

WASHINGTON, Jan. 29 (UPI). —Rep. Barratt O'Hara (D., Ill.), said today he would try to get Northern liberal Congressmen to support creation of a new page boy job for Jimmie Johnson, 14-year-old Chicago Negro.

O'Hara said Rep. James Roosevelt (D., Calif.) had promised to try to help him out of a patronage mixup and make Jimmie the only Negro page in the House of Representatives.

He said Roosevelt told him he felt other Northerners would go along with a House resolution to increase the number of page boy jobs from 50 to 51.

DENIES RACIAL ISSUE

O'Hara denied that he was raising a race issue by seeking a job for Jimmie. "In my mind there is no difference," he said.

But he added, "This boy's heart is broken."

Meantime, Jimmie, who came to town yesterday for a page job promised by O'Hara which did not materialize, decided to remain in town a few days to await developments.

He also changed his mind from yesterday when he said he thought Southern Democrats were blocking his appointment. Asked if he still felt that way today, the youth said, "No."

WALTER SAYS 'NO'

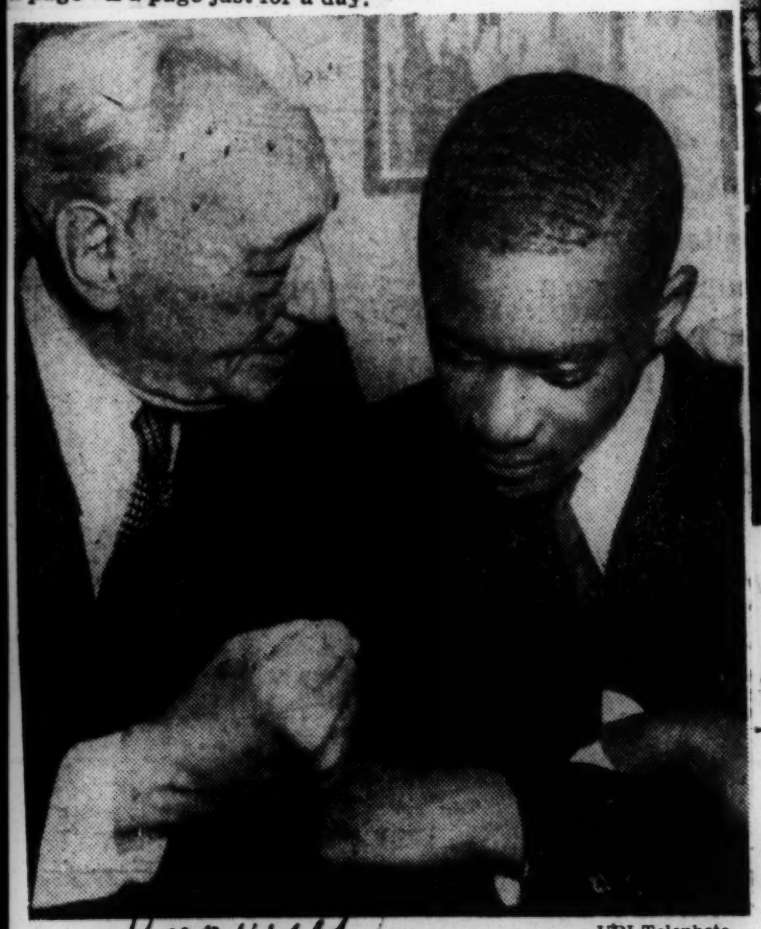
The Chicago Congressman said that before Jimmie's plight got so much public attention he had "assurances" the youth would

get an $1800-a-year job as a House page "within a few days or by March 1 at the latest."

But Chairman Francis E. Walter (D., Pa.) of the Democratic patronage committee, said he had informed O'Hara Friday that there was no job for Jimmie and the boy should not come to Washington.

O'Hara, who conceded his fight might be difficult, said he might take the matter to the House floor next week. He described it as a "sad misunderstanding" caused by a "sequence of unfortunate misunderstandings."

"The decent thing to do," he said, "would be to make Jimmie a page—if a page just for a day."



UPI Telephoto

Rep. Barratt O'Hara (D., Ill.) clenches fist and puts his left arm around Jimmie A. Johnson, Jr. He vowed fight to get House page boy job for Jimmie.

Messenger Enters Capitol Page School

Herald Tribune—UPI telephoto

Jimmy Johnson jr., a Chicago schoolboy who went to Washington under the false impression that he had been appointed as a House page, being enrolled in the Capitol Page School by its principal, Henry DeKeyser. He qualified for the school after he was hired by five Congressmen as a messenger.

'All Very Friendly'

Negro Page In House Goes on First Rounds

Washington, March 2 (AP)—A 14-year-old Chicago Negro boy's dream of entering the Congressional Page School came true today.

James A. Johnson, Jr., rose at 4:30 a.m. to make his first class at 6:30, then left the school at 10:30 to report to the office of Representative Quentin Burdick (D., N. D.).

Burdick is one of five House Members who came to young Johnson's aid after a widely publicized mix-up earlier this year involving Johnson's appointment as a House page boy.

Johnson and his mother flew here January 28 under the impression that he had been appointed a page, only to be informed that the appointment actually had been given to another Chicago boy.

Representatives James Roosevelt (D., Cal.), William H. Ayres (R., Ohio), Martha Griffiths (D., Mich.), Byron Johnson (D., Colo.), and Burdick moved last week to hire Johnson as a clerk-messenger for their offices, making him eligible to attend the Page School as a school-age Congressional employee.

"I had no trouble at all today," Johnson told a newsman. "All the boys I met were very friendly."

There are no other Negro Congressional pages.

34c(1) 1959 D.C.

Misunderstanding

Page Boy's Appointment Called Patronage Error

By ROULHAC HAMILTON
Washington Correspondent

WASHINGTON — The manner in which the National Assn. for the Advancement of Colored People and its members can produce a "race issue" where there was none was demonstrated in Washington Wednesday.

A vocative NAACP member and her nephew, with no more difficulty than a magician taking a rabbit from a hat, took less than eight hours to convert a minor misunderstanding between two white Chicago politicians into a case of anti-Negro discrimination.

Washington observers familiar with the aggressive ability of NAACP to find Southern "hate" for colored people in any situation were predicting that by nightfall Thursday the case of James Average Johnson would be headlined throughout the country as a case of Jim Crow discrimination.

Actually, the case of Johnson, a 14-year-old Chicago Negro, involves nothing but a piece of minor patronage in the House of Representatives, and a disagreement or misunderstanding between white Chicago politicians. Only one Southerner has been involved, he only remotely—and his only connection with the case was helpful to Johnson.

Johnson is the youth who announced in Chicago Tuesday night that he had been appointed as the first Negro page in the history of Congress, then flew with his mother, Mrs. Avis Johnson, to prepare to assume his duties Monday—and in the meantime, to make a few television appearances.

Trouble was, when Johnson got to Washington, it developed that he didn't have a job as a page. There were two reasons, according to House Patronage Committee Chairman Francis Walter (D-Pa)—there were no vacancies in the page corps, and if there had been, Rep. Barrett O'Hara (D-Ill) did not have sufficient seniority in the House to nominate someone to fill the job.

Through a misunderstanding, the Patronage Committee thought it had cleared Johnson—without knowing his name or his race—for an appointment by Rep. Thomas J. O'Brien (D-Ill). But it quickly discovered it already had appointed O'Brien's man two weeks ago, and notified O'Hara's office of the error concerning Johnson.

O'Hara, however, failed to reach Johnson in time to keep him from coming to Washington to learn that he had no job.

That certainly was a disappointment to Johnson, but mistakes do happen—in fact, there has been unpublicized mixups in three earlier page-boy appointments this session.

But Johnson is a nephew of Ethel Payne of Washington. She is a political writer for the American Federation of Labor-Congress of Industrial Organizations and also an active and vocative member of the Washington Chapter of NAACP. She had much to do with her nephew's appointment.

She promptly asserted that her nephew had been denied the job because it was discovered he was a Negro. Young Johnson himself asserted as much, on television and in print—and offered as proof the fact that his aunt said so. The issue was joined.

But what were the facts? They were these: O'Hara said he had been assured by Southern congressmen they would make no objection to appointment of a Negro page. Chairman Walter of the Patronage Committee and Rep. Prince Preston, a Georgia member, said there was no race issue involved; they didn't even know the boy was a Negro.

Negro Loses Out As Capitol Page

By Jerry Landauer
Staff Reporter

Fourteen-year-old James A. Johnson Jr. came to Washington from Chicago yesterday expecting to become the first Negro Congressional page. He was told instead that it was all a mistake — that he had never been appointed.

The boy's sponsor, Rep. Barratt O'Hara (D-Ill.) said the confusion arose because the House patronage committee apparently thought that he and Rep. Thomas J. O'Brien, also a Chicago Democrat, were nominating the same youth.

In confirming his appointment, O'Hara continued, the committee probably though it was approving O'Brien's choice, Martin J. Oberman, who got the one page boy job allotted to the Chicago area.

O'Hara said he had been assured by Southerners that they wouldn't oppose the Negro boy. He approached the Southern members because he didn't "want to push the boy into an integration battle," the 76-year-old, 5-term House member explained just before boarding a plane in Chicago.

Rep. Francis E. Walter (D-Pa.), chairman of the 3-member Democratic job-dispensing committee, said he was sorry the boy made the trip. There simply isn't a job available, he said.

Walter said he had told O'Hara there was no vacancy last Friday. Even if there was, he said, Chicago wouldn't be entitled to it.

Vigorously denying that James' race had anything to do with the appointment that turned out not to be one, Walter said:

"On my word of honor, nobody has protested theh proposed appointment of this boy."

James, saddened by the turn of events, blamed it all on Southerners.

"They don't want me," he said.

James is staying at 1824 Belmont rd. nw., the home of Ethel L. Payne, former newspaperwoman and life member of the National Association for the Advancement of Colored People, who said she prompted O'Hara to inquire about an appointment for the boy a year ago.

Miss Payne said O'Hara's secretary, Marie Crowe, called last Thursday to read a letter from the patronage committee saying the appointment had been confirmed.

The next day, Miss Payne said, O'Hara's office called again to say that the boy should show up at 9:45 a. m. Jan. 26 in room 357, Old House Office Building. A third call informed her that bookkeeping difficulties might delay the job opening until Feb. 1.

James arrived in Washington with his mother, a child placement worker, and his brother, Frederick, 6. His father, a postal clerk, sent him off to his new job with this advice: "Keep your ears and eyes open, and your mouth shut."

Southern Democrats Scored

No Vacancy, No Page Job For Chicago Boy

WASHINGTON — (UPI) — A 14-year-old Negro boy who came here from Chicago last week appointed to a page in the House of Representatives learned Wednesday there was no job open.

Jimmie A. Johnson, Jr. flew to Washington Tuesday night with his mother and younger brother, Fred. They had the idea Rep. Barratt O'Hara, D.-Ill., had obtained a page's job for Jimmie.

But key to the matter is there was no vacancy to be filled. And if there were, they said, O'Hara wouldn't be entitled to fill it.

Jimmie, crushed by the turn of events, told a reporter "the southern congressmen didn't want me."

However, Rep. Francis E. Walter D-Pa., chairman of the House Democratic Patronage Committee, said he advised O'Hara last Friday there was no vacancy for a page boy. He also denied any southern intervention. He said no one had complained about the boy and that race was not involved. He said he never had heard the boy's name and did not know he was a Negro until he arrived in Washington.

O'Hara could not be found to clear up the situation.

ILLINOIS BOY NAMED

Walter said House page boy appointments and other patronage for Illinois customarily were handled through the dean of the state's Democratic congressional delegation, Rep. Thomas J. O'Brien.

He said another Chicago boy, Martin Oberman, was named a page at O'Brien's request earlier this month and "I couldn't imagine two appointments going to Chicago in the space of a couple of weeks.

Jimmie's aunt, Miss Ethel Payne, said O'Hara telephoned her last Thursday that the appointment was set. But he called back Friday, she said, and said there might be a week's delay and Jimmie should come to Washington about the middle of this week.

"That was the last official word that I have had from him," Miss Payne said.

Jimmie, who talked to newsmen on the telephone, said his father told him before leaving Chicago that he should keep his "ears open and his mouth shut and learn about politics."

"What I've heard so far I don't like," he said.

SCORES SOUTHERN DEMOCRATS

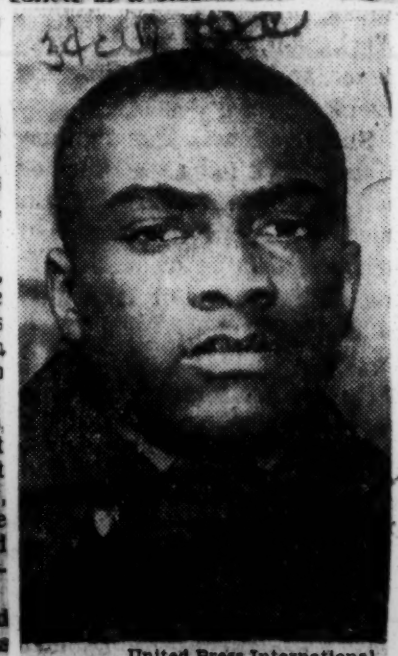
Jimmie said he was "just sitting tight" waiting to hear from O'Hara.

"I think the southern Democrats are trying to mix things up and sabotage things while he's away," the boy said.

Jimmie said he had wanted to be a House page boy ever since he saw them in action during a visit to Washington four years ago. He said his aunt had been working on the appointment since last year.

Jimmie said he has wanted to be a page boy particularly because "the page boy school is so good."

The school, which already is racially integrated, is for Senate, House and Supreme Court pages. Two of the six pages for the Supreme Court are Negroes. None of the other 70 students now enrolled is a Negro.



United Press International
JAMES A. JOHNSON

Pittsburgh, Pa.

Eddie SAVOY courier

1855 · · · · · · 1943

34 e 0 10 c

ONE OF THE MOST TRUSTED MEN EVER TO SERVE IN THE STATE DEPT. OF THE U.S.A. ENTERING AS A MESSENGER IN 1869, HE SERVED 64 YEARS. FEW HAD MET SO MANY WORLD FAMED FIGURES. EUROPEAN AMBASSADORS AND PRIME-MINISTERS, AMONG THEM LLOYD GEORGE AND BALFOUR, AS WELL AS EUROPEAN ROYALTY AS EDWARD VII AND ALBERT, KING OF BELGIUM. SERVED UNDER 22 SECRETARIES OF STATE. MET EVERY PRESIDENT FROM GRANT TO FRANKLIN D. ROOSEVELT. ASTUTE, POLISHED, WELL-INFORMED ON WORLD AFFAIRS, COLOR WAS HIS ONLY HANDICAP.

34c(1) 1959 D.C.

President Eisenhower and Other National Figures Praise Work of J. Ernest Wilkins

WASHINGTON, D. C.—J. Ernest Wilkins, a member of the Commission on Civil Rights, who was found dead in his home, apparently from a heart attack, was praised by President Eisenhower as a "gifted and dedicated public servant."

Mr. Eisenhower added that the former Assistant Secretary of Labor in charge of international affairs had "contributed much to the welfare of our country."

Secretary of Labor James P. Mitchell said:

"He was an admired and able public servant . . . Mr. Wilkins advanced the welfare not only of our country's minority citizens but that of all our citizens."

Dr. John A. Hannah, president of Michigan State university and chairman of the Commission on Civil Rights, said at East Lansing, Michigan:

"With the death of Commissioner Wilkins, the nation has also is a great personal loss to me."

Mr. Wilkins, who had practiced law in Chicago since 1921, came to Washington in 1954 to take the Labor Department post, the highest position held by a Negro in the Eisenhower administration.

He also was the first Negro ever to take part officially in a session of the President's Cabinet, sitting in for Secretary Mitchell during his absence.

Mr. Wilkins had been under treatment at Walter Reed Army hospital for a heart condition. When he resigned from the Labor post in November he said it was for "personal considerations."

Despite his heart ailment, Mr. Wilkins never slowed his pace in the work of the Civil Rights Com- lost a great leader and a faithful servant. Mr. Wilkins will be greatly missed by the members of the Commission on Civil Rights and its staff, for he brought to the Commission's work a wealth of experience as an eminent attorney and as one with a vast knowledge of the subject with which the Commission is concerned. His insight, his integrity, his understanding, and his earnest efforts in behalf of civil rights will not be easily replaced. His passing mission. He attende a meeting held in East Lansing on July 2 following several weeks of confinement at the hospital and at home, notwithstanding his doctor's advice to the contrary.

At the hearing on voting rights denials in Montgomery, Ala., Dec. 8 and 9, he was one of the most active questioners of witnesses. He returned to Montgomery for a second hearing on January 9 to receive reports from staff investigators and hear testimony of Alabama officials who were under Federal Court order to testify.

He was scheduled to leave Washington by plane Saturday morning to fill a speaking engagement in Tulsa, Okla., on Sunday, and was apparently stricken while packing. Mrs. Wilkins was in Pennsylvania in connection with her activities for the Methodist church. Mr. Wilkins' body was found by a maid on Monday morning about 10:30 o'clock.

He was to have gone to Durham, North Carolina, on the following day to help organize a North Carolina Advisory Committee to the Commission.

Mr. Wilkins had once said, "I do believe that the role of Negro leadership in America can help to develop a character for our country which is sensitive to all the many kinds of people who inhabit the earth."

He is survived by his widow, Mrs. Lucille B. Wilkins, and three sons: J. Ernest Wilkins jr., of White Plains, N. Y., a mathematical physicist in the field of atomic energy, who made Phi Beta Kappa and earned his Ph. D. degree at the age of 19; Julian B. Wilkins, of Chicago, a law partner in his father's firm there; John R. Wilkins, of Washington, an attorney with the International Cooperation Administration, now stationed in New Delhi, India, as regional legal counsel of its U. S. Operations Mission.

Born at Farmington, Mo., Feb. 1, 1894, Mr. Wilkins attended the University of Illinois where he was elected to Phi Beta Kappa. He graduated with an A. B. degree.

80 Seek Post Wilkins Held

WASHINGTON —

Over eighty names of well known Negro Republicans across the nation are being screened by the GOP high command in an effort to find a successor to the late J. Ernest Wilkins on the President's Civil Rights Commission, it was learned this week.

The major hurdle to be faced by a new candidate for the post is Senate confirmation. Efforts to by pass the strong Southern bloc in the Senate, which has either killed or held up indefinitely confirmation of Negro appointees, are now being considered by GOP strategists.

Prominent among Chicagoans whose names are in the hopper s the Reverend Archibald Carey. Perry Jackson of Cleveland, Judge Spaulding of Philadelphia and representatives of almost every state in the union have been mentioned. Among the younger Republicans, the most discussed candidate is John Roxborough of Detroit who is a distinguished Michigan Lawyer and a former consultant to the State Department under Secretary of Sate John Foster Dulles. His father, Charles Roxborough, has held a number of important state posts under the Republicans.

Page Boy Ruckus Began By Simple Request, Ethel Says

By ETHEL PAYNE

WASHINGTON—Sometime during the Christmas holiday season of 1957, I talked with Rep. Barratt O'Hara about the possibility of having my nephew, James Avery Johnson, Jr. appointed a page boy in the House of Representatives. The Johnson family lives in Mr. O'Hara's district, the second congressional of Illinois.

Congressman O'Hara agreed with me that the opportunity to serve as a page boy in the Congress of the United States and attend the Capitol Pages' school was a fine opportunity for any boy and would afford an excellent training ground in Government and good citizenship. He readily agreed to appoint James for the post.

At the time, my nephew was only 13 years old and we found

REP. BARRATT O'HARA and James Johnson in Washington, D. C., just after Johnson had heard the bad news.

there was a minimum age requirement of 14 for pages. However, Mr. O'Hara talked with chairman Francis Walter, of the House Democratic Patronage Committee on several occasions and was given the assurance that when the boy would become of age, he would get the appointment.

COMMITTEE ACTION

The patronage committee controls all of the appointments on Capitol Hill and requests by individual congressmen must be cleared through the committee. There are three members of the committee. Besides Walter who is chairman, they are Harry R. Sheppard (D. Cal.), and James R. Bribble (D. Ark.) who succeeded to the vacancy caused by the defeat of Rep. Brooks Hays (D. Ark.) last November.

On June 12, 1958, Rep. O'Hara wrote Mr. Walter reminding him of their previous conversations and advising him that James had now reached the age of 14 and formally requested his appoint-

In a later telephone conversation with me, Rep. O'Hara said Mr. Walker had told him he thought it would go through alright. Congress was pushing for adjournment and Mr. O'Hara suggested that it might be just as well to wait until the opening of the 86th session in January when James would have the advantage of a full term, to which I agreed.

TALKS WITH O'HARA

On Jan 20, I again talked with Mr. O'Hara. He said that he thought it would be only a matter of days before James' appointment would come through and we discussed the advisability

James went to Washington to find that the page boy job he was slated to get wasn't available to him. UPI Telephoto

of having him come to Washington and be on hand when it would be approved. I felt that we had better hold up on this until actual clearance had come through.

On Jan. 22, I received a call from Congressman O'Hara telling me that the patronage committee had that afternoon approved the appointment. Miss Marie Crow, his administrative assistant read a statement of the approval over the phone. We then discussed how soon it would be possible to bring James to Washington and I asked if Monday would be okay. The congressman said he would relay this information to the patronage committee.

On Friday, Jan. 23, Miss Crow called to advise me what the regulation dress was for pages, blue suit, black tie, white shirt. She said he was to report on Monday, Jan. 26, at 9:30 a.m. to the House Democratic Patronage committee in Room 359 of the Old House Office building and there pick up his letter of credentals. From there he was to go to the House cloakroom and present his letter to William "Fishbait" Miller, the doorkeeper of the House who would assign him to his duties.

MAKES TRIP

I relayed all this information to my sister, James' mother, Mrs. Avis Johnson in Chicago who said she would bring James to Washington on Sunday.

About 10:30 a.m. on Friday the 23rd, Congressman O'Hara called me and said there had been a slight delay: that two of the page boys who had been scheduled to leave that Friday were staying on until Feb. 1, but he felt it was alright to bring James on as it would be no longer than Feb. 2 or a few days later at the most before he would go on duty. I called my sister in Chicago and advised her to not rush but to take more time for preparation and get in about Wednesday the 29th so that James could have time to rest and get oriented before starting his new job.

On Wednesday morning, James, his mother, and younger brother, Frederick arrived in Washington. By this time, there were reports of a "mixup" and no vacancy existing. Congressman O'Hara had gone to Chicago to attend the graduation of his grandson, Barratt O'Hara III, who incidentally, had served as a page through his grandfather's appointment, four years ago. It was not until Thursday, Jan. 29 that Mrs. Johnson, James, and myself had the opportunity to sit down with Mr. O'Hara and get the facts in the case from him directly.

REPORTS CONFLICT

From all that has transpired since, I am convinced of these things. Rep. O'Hara acted in good faith in making the nominaton. Thre was never, as some reports have implied, any motive of making a "test case" of James. The congressman simply complied with my request to give a fine boy of high character and intelligence the opportunity that any other American boy should be entitled to; that is serve his government.

There are conflicting reports of a "mixup" and no vacancy ever existing. Yet, this was never brought to light until after James had been notified and was on his way to Washington. The facts are that Rep. Thomas O'Brien of the Illinois delegation knew of Mr. O'Hara's desire to appoint a boy and indeed was the co-signer of a formal letter of request to Mr. Walter about one month ago. The patronage committee did in fact call Mr. O'Hara's office and notify him that the appointment had been approved.

Where then is the mixup? Even if there had been, how is it that now chairman Walter claims Mr. O'Hara who is serving his fifth term has no seniority or patronage and that there are 17 other congessmen ahead of him who have application for page boy assignments? Also, how is it that Rep. O'Brien who approved the appointment of James now suddenly has precedence in naming a page boy ahead of him?

IMPORTANT QUESTIONS

These are questions that have an important bearing upon the strange behavior of the leadership of the Congress of the United States. At this point, it becomes apparent that Congressman O'Hara is taking an unwarranted amount of criticism for his action and that he had been deserted by the leadership of the Illinois delegation.

If there is any embarrassment, it is not upon Mr. O'Hara who has acted in good faith. It is rather upon the members of the Illinois delegation, one of the strongest in the House, who are playing a strangely silent role.

Rep. O'Brien and others in the Illinois deleation hold an enormous amount of prestige and power in the Congress. They also reflect the power of the Democratic party in the Congress. They are in frequent consultation with the mayor of Chicago, Richard Daley on problems affecting the welfare of Chicago and the state of Illinois.

Yet, in this case, they fall back on protocol and profess helplessness. I cannot agree that this is so. I have been covering the Washington scene for nearly seven years. I know some of the ways of politicians.

I have talked this whole matter over in detail with my sister and other members of my family. I feel that there is much more involved here than just James A. Johnson, Jr. It is now a question of whether the Congress of the United States is capable of practicing democracy or whether there is a gentleman's agreement in the majority party now ruling the country of barring Negoes from serving in every capacity that gives opportunity for advancement to American citizens.

James will remain in Washington until we have learned the satisfactory answers to these and other questions.

ETHEL PAYNE

34c(1) 1959

The judge makes them ask for more

By EDWARD PEEKS

WASHINGTON

Judge Armond W. Scott showed his skill and wisdom off the bench Sunday when he played the violin at the installation - banquet of Local 710, American Federation of Musicians.

A cheering audience clapped for more after the jurist rendered "Listen To The Mockingbird" at the affair in the Odd Fellows Building.

He obliged with "Auld Lang Syne." The audience joined in with their voices at the judge's suggestion, turning his performance into a festive occasion flowing with good feeling.

* * *

THEY STILL asked for more. And this time Judge Scott responded with "Over The Waves," a Strauss waltz.

Members of Eddie McDermon's Band fell into the background with their instruments.

The number proved irresistible to couples who came to their feet and glided over the floor.

Judge Scott filled the place with the sweetness of Strauss.

* * *

HE NEEDED to make no apology for not having played the fiddle in five years after he skillfully sawed above the bridge to the plaudits of musicians.

"I haven't had this violin in my hand until last week in five years," Judge Scott said. "My friend Chase here came over and rejuvenated me."

He referred to Thomas Chase, who accompanied him on the piano.

* * *

JUDGE SCOTT, who will be 84 on his next birthday, said the 171 - year - old, Italian-made violin has been in his family for 70 years.

"I once led a band," the jurist said. "I played my way through college."

He rounded out his appearance with a few characteristic gems of wit and wisdom.

"I MAKE a speech everyday to people who don't like to hear," he said.

Colored Americans must keep up the fight for first-class citizenship, Judge Scott said. "Fight and don't take any steps backward.

"Even the governor of Virginia must admit that integration is coming," he added.

The judge and Dean Warner Lawson of Howard University were among those receiving honorary memberships in the union.

IN NEW ROLE—Judge Armond W. Scott plays the violin and makes them "ask for more" at the installation banquet of Local 710, American Federation of Musicians.

D.C.

'Page Boy's' Hopes Remain Alive as O'Hara Makes Vow

CHICAGO—Young James A. Johnson Jr., still had hope after Rep. Barratt O'Hara vowed that he will fight to have the boy appointed as a House page "regardless of the circumstances."

Rep. O'Hara, Illinois Democrat, had arranged an appointment for Johnson, but the 14-year-old honor student was heart-broken and bitterly disappointed upon arriving in Washington to find no vacancy existed.

O'Hara said he did not know what his next move would be, but stated: "The decent thing to do would be to make Jimmy a page—if a page just for a day."

Ethel L. Payne, an employe of the AFL-CIO, and the boy's aunt, said they had not yet been officially notified that James had been ruled out.

"They even gave us instructions as to how he should dress—blue suit, dark tie and white shirt, and how he was to get his letter of authorization and present it to the House doorkeeper," she said.

REP. FRANCIS E. Walter (D.-Pa.), head of the three-man committee which doles out patronage in the House, said he regretted that Johnson had made the trip.

"His race had nothing to do with it," Walter said. "We didn't even know what his race was. There are many Negroes on patronage rolls. There just wasn't a vacancy for the Johnson boy because the Chicago appointment had already been given to a boy recommended by Tom O'Brien, (Chicago Representative.

Young Johnson wants to be a doctor and going through medical school is beyond the means of his father, a postal clerk. He hoped to get a scholarship through his participation in the House page boy program.

The boy had even been interrogated on Dave Garroway's "Today" TV show across the nation, stating his ambitions and reason for wanting the appointment.

What Next?—James A. Johnson Jr., center of Congressional controversy, today will be pondering what the future holds for him as he stands on the steps of the nation's capitol in Washington, D. C.—Wide World Photo.

Extra Page Boy Post Might Not Help Jimmy Johnson, Jr.

WASHINGTON — (UPI) — Several congressmen were at work last week trying to give substance to Negro Jimmy Johnson jr.'s dream of becoming a House page boy.

One Northern liberal — Rep Abraham J. Multer D-N. Y. — said he felt the matter could be "worked out quietly with the House leadership." He said involvement of other congressmen in the situation might only make matters worse.

But Chairman Francis E. Walter D-Pa. of the Democratic Patronage Committee said creation of an extra page boy post would not help Jimmy, the 14-year-old Chicago lad who came to Washington thinking he had a job and found out that he didn't.

OTHERS AHEAD

Walter said more than a dozen congressmen other than Rep. Barrat O'Hara D-Ill., Jimmy's sponsor would have the right under House seniority rules to claim any new post.

O'Hara pressed ahead in his attempt to rally Northern liberal congressmen to support a resolution that would create the special job for Jimmy. The doughty Irishman vowed that he would not "stand by and see this fine boy go home with a broken heart because of a misunderstanding."

Rep. James Roosevelt D-Calif., and Adam Clayton Powell D-N. Y. said they would join O'Hara in supporting the resolution. At present there are no Negro pages in either the House or Senate.

O'Hara repeated his previous statements that he does not believe racial prejudice was involved in the case. But he said Jimmy should not be made to suffer for the mistakes of the House.

William Taylor Named Page Boy in Senate

By Peter H. Moore

An 11-year-old lad who has the ambition to become a doctor became the first Negro to serve in the statehouse as a page boy.

He is William Taylor, Jr. 1101 N. E. 10th, who is the son of Mrs. Cloteal Peace and Billy Taylor, well-known dancer and entertainer.

A fifth grader at the Dunbar elementary school, young Taylor was introduced to the entire state senate of Oklahoma at the beginning of the Monday session. The introduction was made by Senator George Miskovsky, of Oklahoma county.

In his introduction, Senator Miskovsky made a motion that Taylor be made an honorary page boy for Monday; but Senator Gene Stipe, McAlester, amended the original motion to make Taylor a page boy for the full week. Senator Stipe's motion met unanimous approval.

Monday's action culmiated three years of letter writing to members of the legislature by the fifth grade class of Dunbar elementary school.

The class, under the guidance of its teacher, Mrs. Comelia Sanford-Robertson, became interested in state affairs. A committee attended Gov. J. Howard Edmondson's inaugural ceremony. A mock election was held in the classroom, state officers were nominated and elected, as well as legislators to represent all members of the 1958 Oklahoma legislature.

Mrs. Robertson, also secretary-treasurer of the Black Dispatch, was praised for her diligence in the matter that opened another door for Negro youth.

Senator Miskovsky thanked the Eleanor Roosevelt Democratic Women's League from the senate floor for their interest in the matter.

Mrs. Georgia L. Brown is president and founder of the political club.

Young Taylor, an "A" student, will have a stiff job of reporting to his classmates when he returns to school Friday.

A. D. Mathues, president of the Citizens Chamber of Commerce, and Rev. W. C. Proctor, chairman of the sponsoring committee, along with Mrs. Brown and members of her group, accompanied Taylor to the senate chamber to witness the official introduction to page boy services.

The fifth grade student summed up the big day by saying, "I think this is a great experience for a colored boy."

White House Negro Aide Raps G.O.P.

Washington, April 14 (AP) — A White House Negro official said Tuesday that the Republican Party had failed to win support of Negro voters because, he alleged, it has not recognized Negroes as first-class citizens.

E. Frederic Morrow, a White House administrative officer, made this criticism in a speech before the seventh annual Republican Women's Conference.

Morrow, Hackensack, N. J., was educated at Bowdoin College and Rutgers University Law School. He told the 1,200 women delegates:

"The basic failure of the party to recognize Negro Americans as first-class citizens, with all the hopes and aspirations that go with this role in American life, is the primary contributing factor to the party's failure to attract and to hold the Negro voters' loyalty."

Morrow said the G.O.P. could win in 1960 if it "stands for something beyond the usual lip service to obvious ideals . . ."

Negro Boy Wins At Page School

James A. Johnson Jr., the 14-year-old Chicago Negro whose promised job as a Congressional page fell through early this year, has attained the honor roll at the Capitol Page School.

Young Johnson, a messenger for five Congressmen scored a straight B average. He got an A in biology, I minus in English, C in geometry and B plus in Latin. Only 13 other boys in the 80-student school earned a B or better to make the honor roll.

Rep. James Roosevelt (D-Calif.), one of Jimmy's sponsors, said:

"We are all very pleased with him. He is getting along very well.' The boy missed a job as the Capitol's first Negro page when it developed that his sponsor, Rep. Barratt O'Hara (D-Ill.), did not have enough patronage for a page appointment.

34c(1) 1959 D.C.

ATTY. GEORGE M. JOHNSON
DEAN OF HOWARD UNIV., LAW SCHOOL 1946-1958
TO SUCCEED THE LATE J. ERNEST WILKINS
MEMBER OF -CIVIL RIGHTS COMMISSION

Negro Educator Gets Civil Rights Post

Named by Ike

WASHINGTON (AP) — George M. Johnson, Negro educator, was nominated by President Eisenhower Tuesday to be a member of the Civil Rights Commission.

Johnson, dean of the Howard University law school in Washington in 1946-1958, was named to succeed the late J. Ernest Wilkins, also a Negro.

Johnson has been director of the commission's office of laws, plans and research.

From 1940 until last year, he was professor of law, in addition to serving as dean, on the Howard law faculty.

Johnson served in 1941-45 as a member of the President's Committee on Fair Employment practices.

Eisenhower also nominated Cecil P. Milne to be an assistant secretary of the Navy. He now is a deputy assistant secretary of defense.

Prior to joining the Defense Department in 1957, Milne, 62, was a director of the First National Bank & Trust Co. at Racine, Wis. his home.

Eisenhower also formally nominated J. Allen Overton Jr., of Parkersburg, W. Va., to be a member of the U. S. Tariff Commission.

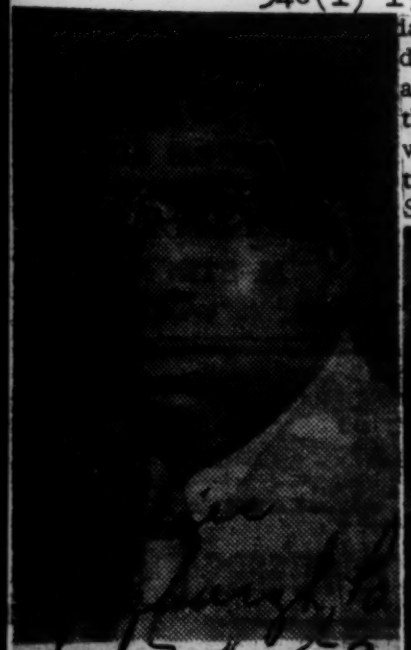
He was named for the remainder of the term expiring June 16, 1962, succeeding Edgar B. Brossard, who is retiring from the commission.

Overton has been deputy general counsel of the Commerce Department since 1956. He is 37 years old, and a Republican.

Associated Press Wirephoto

George M. Johnson, educator, was nominated by President Eisenhower yesterday to the Civil Rights Commission to succeed the late J. Ernest Wilkins. Johnson has been director of the commission's office of laws, plans, and research.

Being Sworn—U. S. Housing Administrator Norman P. Mason, right, administers the oath of office to George W. Snowden, left, Washington, D. C., after Mr. Mason had appointed Mr. Snowden earlier as assistant to the Administrator for Intergroup Relations, Housing and Home Finance Agency.

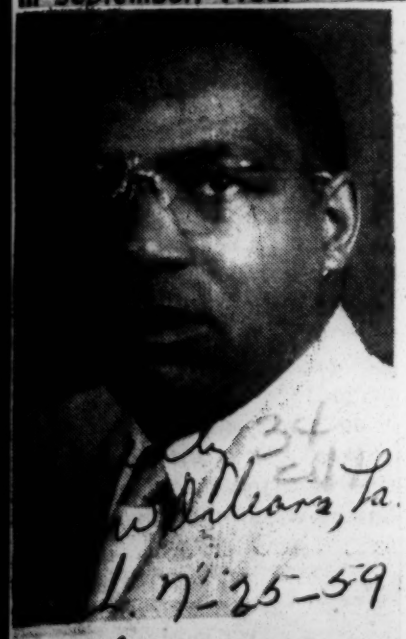


Sets Tour—Dr. William M. Freeman of the college of education, Southern University, Baton Rouge, has been asked by the State Department, Washington, D. C., to serve as an American specialist and good-will ambassador in some 14 countries abroad. Dr. Freeman will leave Aug. 10 on a world-wide tour and will return to the S.U. Campus in September, 1960.

dialist and Good Will Ambassador in some 14 countries abroad. Dr. Freeman will leave this country on August 10 on a world-wide tour and return to the campus, the early part of September, 1960.

Associated Press Photo

REPORT ON TOUR: Zelma George, Cleveland sociologist, went to the White House Wednesday to report to President Eisenhower on her trip around the world representing the United States in the President's people-to-people program. She was accompanied to the White House by Rep. Frances Bolton (R-Ohio).



SPECIALIST and AMBASSADOR — A Southern University Professor, Dr. William M. Freeman, College of Education, has been asked by the State Department, Washington, D. C. to serve as an American Spec-

34c(1) 1959

FEDERAL HOUSING ADMINISTRATION

34c 17

DISCUSSES FHA POLICIES—Commissioner Julian H. Zimmerman, right, of the Federal Housing Administration, and Dr. George W. Snowden, left, assistant to the commissioner, Intergroup Relations Service (FHA), are shown above discussing policies and plans for making FHA benefits available to all qualified home buyers. FHA, which is celebrating its twenty-fifth anniversary this year, is credited with having done much to bring about the improvement in housing conditions that has taken place since its establishment.

Dr. Snowden has been on the staff of the FHA Commissioner since 1953. He received an award two years ago for outstanding service, and in 1958 was promoted to his present position.

34c(1) 1959

FLORIDA

Economy Ax Poised

The Miami Herald Miami Fla.

Over 4 Jobs—$45,000

Olavi Hendrickson Coming In Again?

Thurs. 12-3-59

P. 1

By JOHN MORTON
Herald Staff Writer

The Miami Commission Wednesday planned to whack out $45,000 worth of special assistants, appoint three new municipal judges and consider giving a once-fired city attorney his job back.

A special meeting was called for 9 a.m. Friday by Mayor Robert King High.

Here are some of the items on the agenda:

APPOINTMENT, as judges, of Robert Zahner, Coconut Grove attorney and a campaign lieutenant of Commissioner Joseph X. DuMond; John R. Barrett, former legal secretary to Chief Justice J. Albert Conway of the New York Supreme Court; and L. E. Thomas, a former judge in the city Negro precinct.

RETENTION of Judges Albert S. Dubbin and Milton Friedman. Judge Carlos Fernandez is set for ouster. Fernandez was named to the post last week but not sworn in.

CONSIDERATION of Olavi M. Hendrickson, city attorney from 1955 to 1956, who was fired in a political upheaval. He won a lawsuit against the city in the Florida Supreme Court and was awarded $21,800 in back pay and damages.

Mayor High declined to say that Hendrickson has his old job pinned down—"but his name has been mentioned."

ZAHNER THOMAS

In the second phase of an economy drive, four special legal aides are set for the ax: Milton Ferrell, special counsel for damage cases, $15,000 a year; R. H. Max Swann, utilities counsel, a relative and close friend of ex-Commissioner Otis W. Shiver, $10,000; Vivion Rutherford, special assistant, $10,000; Roscoe Brunstetter, off-street parking board counsel, $10,000.

High said the Commission will probe "all phases of special counseling" in an economy move which started last week when the board cut city judges' pay from $8,500 to $4,250.

Another barrage expected from the Commission Friday is aimed at the Civil Service Board.

Two present members, Mrs. Nora Womble and Charles O. Huttoe, are slated to lose the $200-a-month posts in favor of Stu Morrison, one of the mayor's campaign workers, and Col. R. Frazier Potts, a choice of Commissioner Henry L. Balaban.

Board Chairman Edmund W. Newbold will stay on the board. He is the law partner of Commissioner DuMond.

Says He's Overloaded in 'Negro Municipal Court'

Judge on Legal Merry-Go-Round Can't Resign and Is Fined, Too!

MIAMI, Fla.—There's a legal merry-go-round in operation here and Municipal Judge John D. Johnson is right in the middle of the thing and trying to get off.

Judge Johnson, fined $50 for contempt of court a few weeks ago, had submitted his resignation to the City Commission. However, the City Commission refused to accept the Judge's resignation and turned the matter over to the chief municipal judge and the City Manager to settle.

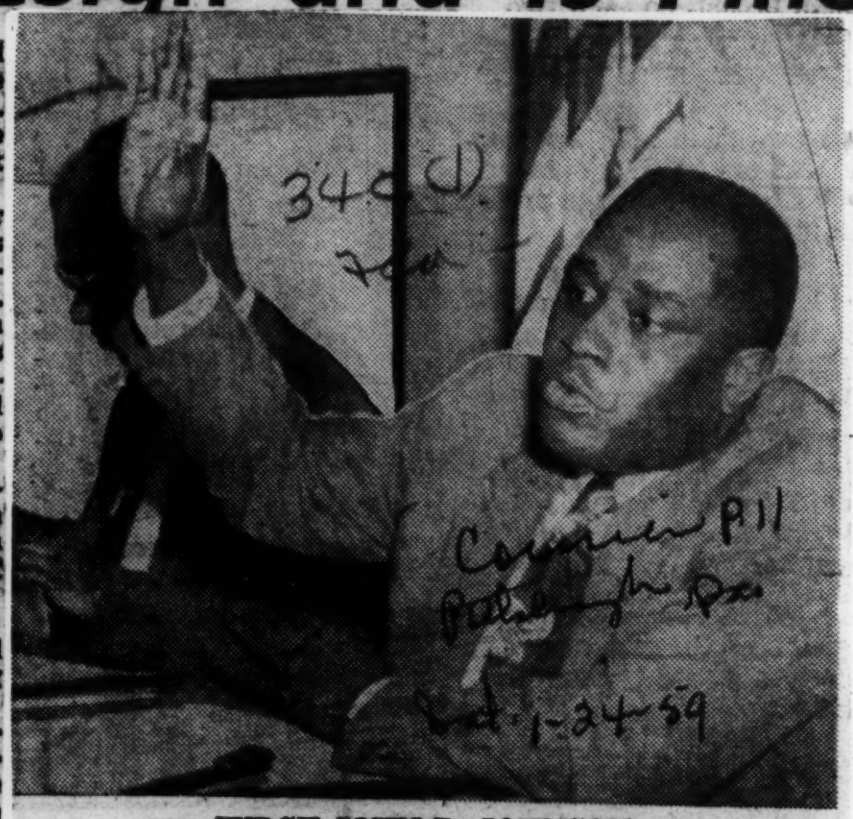
In the meantime, Judge Johnson has been threatened with an investigation of his tenure on the bench as a consequence of his having been fined.

THE FINE had been levied against the jurist for his having ignored court citations.

At crux in the issue is the alleged neglect of the "Negro Municipal Court" docket by Judge Johnson who complains that the load is far too heavy and prevents him from paying proper attention to his private practice.

Judge Johnson handles all cases of misdemeanors by Negroes along with all preliminary hearings.

Municipal judges are not supposed to try more than 80 cases per day, under a new regulation, but Judge Johnson complains that there have been day when he has tried more than 125.



JUDGE JOHN D. JOHNSON
... wants to get off the merry-go-round

Negro Judge Quits Post

Miami's only Negro judge resigned Monday.

Judge John D. Johnson had been ordered jailed last week for contempt of court. At that time, city commissioners said they would request his resignation.

Dade Negro Judge Cited In Contempt

MIAMI, May 14 (UPI) — A county judge ordered Miami's only Negro judge jailed for contempt today.

The Negro, municipal Judge John D. Johnson, was being sought.

Miami city commissioners said they would move to dismiss Johnson at next Wednesday's meeting.

County Judge Frank Dowling ordered Johnson jailed until he pays $500 to an estate for which he acted as attorney.

Johnson was cited once previously for contempt in the same case.

Dowling said Johnson's conduct "has continuously been such as to exhibit a lack of respect and a contempt for the lawful orders of this court."

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FOREIGN SERVICE
UNITED STATES INFORMATION AGENCY

Atlanta's Gordon Gets Foreign Post

The Pittsburgh Courier
Pittsburgh, Pa.
Mar 12 1960

WASHINGTON, D. C. — William Gordon, Atlanta journalist, who recently spent a year in Africa traveling and studying on an Ogden Reid Foundation journalism fellowship and a U. S. Department of State specialist grant, has been appointed to the foreign service staff of the United States Information Agency.

Mr. Gordon

Gordon, 38, when appointed to the agency, was professor of journalism and economics at Morris Brown College, Atlanta.

Prior to that, he was city editor of the Atlanta Daily World. Gordon was in Africa in 1958 and a portion of 1959, during which time he visited 14 different countries, including the Union of South Africa.

He attended the All-African Peoples Conference held in Accra, Ghana, in December, 1958, and covered the meeting for the Daily World and the Associated Negro Press.

Gordon began his journalism career on the former New York daily newspaper PM. He is a native of Memphis, Tenn., and attended the public schools of that city.

He is a graduate of LeMoyne College, Memphis, and New York University, where he obtained his M.A. degree in institutional economics. He was a Nieman Fellow at Harvard University, 1952-53.

■

GORDON HAS written articles for Look Magazine, the New Leader, the Antioch Review, Africa Special Report and the Nieman Reports.

Gordon is married to the former Anne Jackson of Memphis, Tenn., a trained social worker. They have three sons, William Jr., 14; David, 8, and Anthony, 4.

Made president

Afro-American
Baltimore Md
Sept 12 1959

PARIS — Gaston Monnerville, president of the Senate of the French Republic, last week was named president of the newly created Community Senate. He won the post by a [illegible] vote.

The Community Senate, which the 61-year-old native of French Guiana heads, is an advisory body limited to discussing matters brought before it by President Charles De Gaulle.

French Name Monnerville Senate Prexy

PARIS, France—Gaston Monnerville became the second highest French official here last week when he was overwhelmingly elected President of the French Senate.

M. Monnerville

M. Monnerville, a 61-year-old native of French Guiana in South America, won over his only competitor, Georges Marrane, Communist. The vote was 235 to 15.

The election puts Monnerville directly behind President Charles deGaulle among French leaders. He takes precedence over Premier Michel Debre and the Assembly Speaker, Jacques Chaban-Delmas.

In case of a vacancy in the office of President of the Republic, M. Monnerville will hold the office until a new election is held.

M. Monnerville is a member of the Radical party. He had formerly been connected with the adversary Council of the Republic of the defunct Fourth Republic. He had been elected president of that body continuously since 1946.

able to hold office, Sen. Monnerville would be temporary President of France until elections were held.

The Senate met in the Palais du Luxembourg last week for the first day of its working session which will continue until June. Sen. Monnerville, a member of the Radical Party, was formerly president of the Adversary Council of the Republic under the now defunct Fourth Republic.

* * *

FRANCE'S NEW Constitution gives him unprecedented status and ranks him above French Premier Michel Debre and Assembly Speaker Jacques Chaban-Delmas.

During their first meeting, Senators and Assembly members protested against some of the provisions of the new government limiting the power of the two bodies.

Sen. Maurius Moutet, 83, said that the government had taken steps before the Parliament became active to issue ordinances and decrees with an authority not granted it in the Constitution. These acts took place since last June 3 when Gen. de Gaulle recessed Parliament indefinitely.

* * *

THE ASSEMBLY now is not allowed to vote on debated issues unless the government asks for such a vote or unless more than ten per cent of the Chamber of Deputies makes a motion of censure.

Various party factions in the Senate, including Sen. Monnerville's Radical group, protested against restrictions placed on them.

M. Monnerville to 78 for his major opponent, Ratsimamao Rafringa, a Socialist Senator from Madagascar. The total membership of the Community Senate is 284. Thirty-one votes were cast for other candidates. There were twenty-four abstentions and absentees.

M. Monnerville has been President of the French second chamber known as the Council of the Republic during the Fourth Republic, since 1947. He began his political career in Guiana, from which he was elected to the Council of the Republic, in 1946. However, since 1948 he has represented the Department of Lot.

The new Community Senate is an advisory body limited to consultation on matters brought before it by President Charles de Gaulle of France.

Gaston Monnerville

No. 2 man in France

PARIS, France — The number two man in the French government is a colored man, Gaston Monnerville, 62, who was reelected Speaker of the Senate.

The Senators voted 235 to 18 to re-instate the native of French Guiana to the post he has held since 1956. Should the President, Gen. Charles de Gaulle, resign or become un-

French Senate Leader Made Community Head

Special to The New York Times.

PARIS, July 17—The Senate of the community formed by France and her former colonies elected Gaston Monnerville, 61-year-old native of French Guiana, as its President today. He is also President of the Senate of the French Republic, to which he was elected last April.

M. Monnerville, a Negro, is the representative in France's Senate of the Department of Lot, in southwestern France. He was elected to the Community Senate by the French Senate.

The vote today was 151 for

Four Negroes Take Oath

WASHINGTON, D C —(ANP) — A total of four Negro congressmen were among the 534 lawmakers sworn in when the 86th Congress convened Wednesday, Jan. 7.

All members of the House of Representatives, they are Congressmen William L. Dawson Chicago, Ill; Adam Clayton Powell Jr. New York City; Charles Diggs, Detroit, Mich, and Robert Nix, Philadelphia, Pa.

The new House consists of 283 Democrats and 153 Republicans. The Senate is divided 64 Democrats to 34 Republicans.

For the first time, the new State of Alaska will be represented by one member of the House and two members of the Senate.

Dean of Negro representatives is Dawson, who is starting his eighth term as representative of Illinois' First Congressional District. One of the leaders of the House, Dawson heads the all powerful House Appropriation Committee.

Powell, who fell into disfavor with the Democrats after bolting the party to vote for President Eisenhower, is believed to be back in good graces and in line for a committee chairmanship. He reportedly was assured such a position for supporting Gov. Harriman in the Nov. 4 1958 election for the New York governorship. Harriman lost to follow millionaire Nelson Rockefeller.

Nix is a freshman on Capitol Hill.

Among the many measures before the new Congress will be demands for stronger civil rights laws, and the amending of Senate Rule 22 to end filibuster. The filibuster has been the Dixiecrats chief weapon with which to defeat civil rights proposals.

IN THE NATION'S CAPITAL

Ike's appointments 'fail to impress'

By LOUIS LAUTIER
For the NNPA News Service

WASHINGTON

The Republican National Committee has sought to make political capital out of the appointments the Eisenhower Administration has given to colored persons, but such appointments have not been sufficient in either number or caliber to impress the colored voter.

The Administration has done comparatively well. But previous administrations, both Democratic and Republican, have been niggardly in rewarding the colored voter.

The outstanding appointments of the Eisenhower Administration have been those of J. Ernest Wilkins as Assistant Secretary of Labor, Scovell Richardson as judge of the United States Customs Court, Walter A. Gordon as judge of the United States Court for the Virgin Islands, Richard L. Jones as Ambassador to Liberia, Clifton R. Wharton as Minister to Romania, and George E. C. Hayes as chairman of the District of Columbia Public Utilities Commission.

Austin L. Fickling also was appointed to the District of Columbia Municipal Court.

These seven appointments represent all of the full - time Presidential appointments, requiring Senate confirmation, made of colored persons.

MR. WILKINS no longer fills his post in the Labor Department. This leaves six colored persons holding full-time Presidential appointments of colored persons to offices which carry no salary, or carry a per diem when the appointee is actually on duty, or carry expenses only.

These include Dr. Felton G. Clark, president of Southern University, member of the Board of Foreign Scholarships; Miss Marian Anderson, alternate delegate to the United Nations General Assembly, and Mr. Wilkins, member of the Civil Rights Commission.

The other appointments made by the Administration—while some of them are nice jobs—are not statutory positions requiring nomination by the President and confirmation by the Senate.

Among the better jobs in this category are those of E. Frederic Morrow, an Administrative Officer on the White House staff; George W. Reed of Detroit, director of the United States Operations Mission in Liberia; Miss Roberta Church, Minority Groups Consultant, Labor Department.

Mrs. Julia P. Cooper, a Justice Department attorney; Carmel Carrington Marr, a member of the staff of Ambassador Henry Cabot Lodge Jr., at the United States Mission to the United Nations, and Joseph H. Douglass, program coordination officer, Health, Education and Welfare Department.

* * *

THERE MAY be a few other jobs in these categories, but, measuring them in their entirety, the only conclusion that can be drawn is that colored people have not received a fair share of the political pie.

It may be in bad taste to discuss judicial appointments in connection with politics, but politics is a major consideration in the appointment of Federal judges. If it were not, the Supreme Court would not have its present composition.

Chief Justice Earl Warren was the governor of California and a contender for the Republican Presidential nomination in 1948 and 1952. Justice Hugo L. Black was a United States Senator. Justice Felix Frankfurter, a former Harvard Law School professor, is a Jew.

Aside from political considerations, President Eisenhower has looked for judicial experience in his appointees. He promoted Justice John M. Harlan from the bench of the United States Second Circuit Court of Appeals; Justice William J. Brennan from the New Jersey Supreme Court, and Justice Charles E. Whittaker from the United States Eighth Circuit Court of Appeals at St. Louis.

* * *

ALL OF these are excellent appointments and round out a court which will go down as one of the greatest in the judicial history of the country.

In making future appointments to the Federal judiciary, including the Supreme Court, however, consideration should be given to colored lawyers who possess the necessary qualifications.

One such is Justice William H. Hastie of the United States Court of Appeals at Philadelphia. His opinions are among the most lucid written by any judge. His character is beyond reproach. He would honor the Supreme Court by his presence on that bench.

Of course, the only way a lawyer can gain judicial experience is by serving as a judge. If no colored lawyer is ever appointed to a Federal judgeship for lack of judicial experience, then the colored lawyer is in a vicious circle.

WITH THE educational background and legal experience that many of them have, there are now many who are well equipped to serve in the Federal judiciary. It is time that the Justice Department study the qualifications of some of these lawyers and submit their names to the President for appointment to the Federal judiciary.

There is no better place to make a start than in the District of Columbia. Three colored judges—Armond W. Scott, Andrew J. Howard and Austin L. Fickling—are members of the District of Columbia Municipal Court, and it would be no novelty to have a colored judge in the District Court here.

Negroes In The U. S. Foreign Service

(Editor's note: This is the first of a series of articles on the achievement of Negroes in the U. S. diplomatic and consular service.)

ARCHIE LANG IS RANKING U. S. DIPLOMAT IN GHANA

By ANP

In June, 1957, Archibald Samuel Lang, 44, one of the U. S. Foreign service's most promising young diplomats, was sworn in as second secretary at the American embassy in Accra, Ghana, West Africa and became the ranking Negro member on the embassy staff.

The appointment actually was the high point in a successful career in the diplomatic corps for Lang. An eight-year veteran, he saw extensive service in Germany, present focal point of world attention. During that period, he held key assignments in such places as Munich, Nurenberg, Landshut, Rosenheim, and Oberaudorf. In all these positions, he acquitted himself well.

Post War Assignment

Lang's career in the foreign service began in April, 1949, a few years after he was discharged from the Army. His first assignment was at Bad Kissingen, where he served as a rehabilitation specialist. He established and operated a school for the blind; planned and assisted in establishing two rehabilitation centers for tubercular rehabilitees, and one center for amputees and cardiac cases.

Highly qualified, both by training and experience—he was training specialist for disabled veterans for the Veterans Administratign regional office, New York City from April, 1946 to March, 1949—Lang did an excellent job. His work did not go unnoticed.

In June, 1950, while only 34, he was made a foreign service officer and given delicate assignments first in Munich and then Nurenberg.

In February, 1956, Lang was commissioned a first line service officer, second secretary and consul and assigned to the U. S. Consulate general office in Munich. In this post, he was given the tedious job as officer-in-charge, "Escape Program," for the field office in Bavaria. This was another tough assignment but Lang did a good job and attracted the attention of his superiors.

Gets Top Post

Then came the major appointment. In June, 1957, with the newly-born nation of Ghana making rapid strides in its political and economic development, Lang was transferred to Accra and given the full-time job as second secretary at the embassy. He enjoys considerable prestige in this capacity.

A trained sociologist, Lang is a former school teacher and a graduate of Southern university, Baton Rouge, La., from which he obtained the B.A. in sociology. He also holds an M.A. in educational sociology from New York university, and did one year post-graduate work toward the Ph.D. in the same field at NYU.

A family man, he is married to the former Miss Martha Malone, a native Minnesotan. An expert business secretary, Mrs. Lang is said to have given valued assistance to her husband in his work.

The Langs have two children, twins Karin Elizabeth Lang, and Michael Peter Lang, 11. They were born in Germany but may claim U. S. citizenship under laws governing foreign service personnel.

Returning Home

At present the Langs are looking forward to a long overdue "stateside" vacation, during which they plan to tour the U. S. so the children "may begin to learn their country."

The Langs claim Chicago as their residence, although Archi was born in Weleetka, Okla.

Lang's success story is a case in point. Although there are increasing opportunities in the field for young Negroes men—and in some instances, women—who are qualified, to date, relatively few have entered the diplomatic service. Somehow, there seems to be a feeling that the foreign service is either "off-limits" or taboo to

members of their race. Thus the
pass up good careers in a fie
with considerable potentials fo
advancement.

Few Career Officers

Today there are few career o
ficers of color in the service bv
with the fire of nationalism spre
throughout Africa, the need fo
their services will be tremendou
in, say about 1960, when a numbe
of new territories will attain na
tionhood. However, foreign servic
appointments are not restricted t
Negro nations and territories.

In this and other articles to fol
ow under the above general title
ANP hopes to focus attention o
the matter and thus encourag
more qualified Negroes to ente
the diplomatic service.

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HISTORIC

49 Negroes Were Members Of Ga. Legislature, 1868—1907

34c(1) Historic

By C. A. BACOTE,
Professor of History,
Atlanta University

Many people are unaware that numerous Negroes have sat in the Georgia legislature since 1868. While it is true that most of them served between 1868-1870, forty-nine Negroes were elected, forty-six to the House and three to the Senate. Furthermore, one Negro, Jefferson Long of Macon, was elected to Congress from Georgia, where he served one term in the House, beginning in 1870.

Below are the names of the Negroes who were elected, the areas represented, and the time served:

GEORGIA SENATE

A. A. Bradley, First District, July 4-August 10, 1868; Tunis G. Campbell, Sr., Second District, 1868-1870; George Wallace, 20th District, 1868-1870.

GEORGIA HOUSE, 1868-1870

T. M. Allen, Jasper County; Eli Barnes, Hancock County; T. P. Beard, Richmond County; E. Belcher, Wilkes County; Tunis G. Campbell, Jr., McIntosh County; M. Claiborne, Burke County; G. H. Clower, Monroe County; Abraham Colby, Greene County; J. T. Costin, Talbot County; Madison Davis, Clarke County;

Monday Floyd, Morgan County; F. H. Fyall, Macon County; R. B. Hall, Burke County; G. Gardner, Warren County; W. A. Golden, Liberty County; W. H. Harrison, Hancock County; N. S. Houston, Bryan County; Philip Joiner, Dougherty County; George Linder, Laurens County; Robert Lumpkin, Macon County;

Romulus Moore, Columbia County; Peter O'Neal, Baldwin County; James Porter, Chatham County; Alfred Richardson, Clarke County; James Sims, Chatham County; Abraham Smith, Muscogee County; Alexander Stone, Jefferson County; Henry McNeal Turner, Bibb County; John Warren, Burke County; Samuel Williams, Harris County.

MEMBERS OF HOUSE, 1871-1907

Madison Davis, Clarke County, 1871-1873; James Blue, Glynn County, 1871-1877; Thomas Goodrich, McIntosh County, 1880-1882; Thomas Butler, Camden County, 1878-1879; Frank Johnson, Lee County, 1880-1883; Ishmael Lonnon, Dougherty County, 1880-1882; John McIntosh, Liberty County, 1880-1882 (Atlanta University graduate, 1877);

Hercules Wilson, McIntosh County, 1882-1886;

Anthony Wilson, Camden, 1880-1890, 1892-1894; J. B. Frazier, Liberty County, 1884-1886; Lectured Crawford, McIntosh County, 1886-1888, 1890-1892, 1900-1902; S. A. McIver, Liberty County, 1888-1890; J. M. Holzendorf, Camden County 1890-1892; William H. Styles, Liberty County, 1892-1894; J. W. Law Liberty County, 1894-1898; H. F. McKay, Liberty County, 1900-1902 and W. H. Rogers, McIntosh County, 1902-1907 (resigned).

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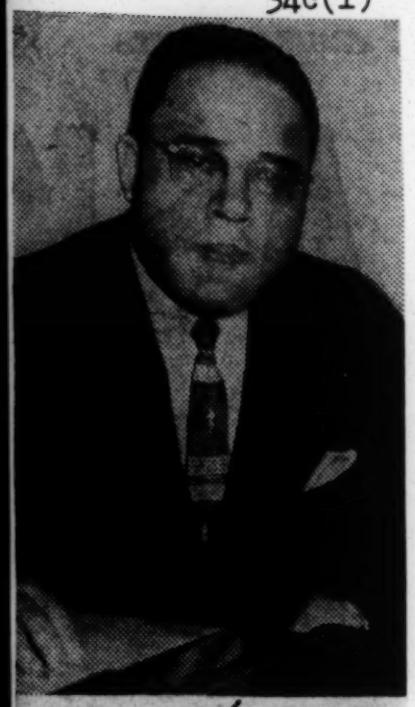
U.S. REP.CHARLES C. DIGGS,JR.
(D.MICH.)

HOUSE FOREIGN AFFAIRS COMMITTEE



Assigned—

U. S. Rep. Charles C. Diggs, Jr. (D-Mich.) was named to the important House Foreign Affairs Committee, to become the first Negro ever to sit on this committee. The Courier predicted this event weeks ago. Mr. Diggs is expected to specialize in African and Asian affairs.

REP. ROBINSON A LEADER IN SOCIAL REFORM

Daily Tribune
Chicago, Ill.
Sat. 9-26-59

Chicago Negro Helped Control Narcotics

BY ROI OTTLEY

Rep. William H. Robinson [R., Chicago], chairman of the legislative advisory committee to the Illinois Public Aid commission, and a member of the national advisory council on public assistance, is the first professional social worker elected to the state legislature.

Robinson

In 1953, he was the first Negro to be chosen by capitol correspondents in Springfield as the outstanding freshman representative. He made major contributions to the fight on dope addiction.

His first bill as a state representative prohibited the sale of hypodermic needles without a prescription. He also co-sponsored the bill which set up the state's narcotic investigation commission. As a result of the studies made by this commission, the first narcotics control division was established in Illinois.

Has Consultation Service

Robinson heads the Community Consultation service, his own private operation. It gives people professional advice on family, marital, social, and welfare problems. His skills as a professional social worker were gained in public service.

For three years, he was a welfare worker with the Illinois Emergency Relief commission, and for seven years a parole officer for the state of Illinois. He was a case worker for five years with the Boys' court service of the Church Federation of Greater Chicago, and for two years its director of the youth service bureau.

He is one of two Negro lecturers in social work at the Baptist Missionary Training school, and a consultant on social welfare and governmental problems. He recently was appointed a technical consultant for the Illinois committee for 1960 White House conference on children and youth.

Active as Republican

Robinson, a Republican, started his political activity as a precinct worker in the 3d ward under the late Congressman Oscar De Priest. Robinson later became a member of the state central committee and ward committeeman. In 1953 he was elected a state representative from the 20th [representative] district. He has served three terms.

He was born in White Stone, Va., May 1, 1909, one of three children. His father, William H., was a tenant farmer; his mother, Mary E., was a domestic.

Robinson attended White Stone's grade school and Lancaster Training school. He later enrolled in Wayland academy, Richmond, Va., and was graduated in 1926. He entered Virginia Union university, Richmond.

Works Way Thru College

He paid his tuition in college by firing the campus furnaces. He became captain of the debating team, a member of the football team, and was graduated in 1930, in the upper 10 of his class, with a B. A. degree.

He came to Chicago in 1931, and worked as a porter. In the evenings, he attended Central College of Commerce. For three years he studied at Chicago-Kent College of Law. Then he became a bond clerk in the state's attorney's office.

Robinson, a veteran of World War II and superintendent of the Monumental Baptist Church Sunday school for 21 years, is married to the former Marguerite Boyd, a social worker and graduate of Tennessee State university, Nashville.

Bar Group Urges Ike To Appoint Negro As Judge

Chicago Defender
Chicago, Ill.
Sat. 10-31-59

The Cook County Bar Association has appealed to President Eisenhower for appointment of a Negro lawyer to the next vacancy on the U. S. District Court Northern District Eastern Division and the Seventh Circuit Court of Appeals in Chicago, Illinois.

In a letter dated October 21 to the President signed by Edward B. Toles, chairman of the Association's Committee on Public Affairs the Bar Association stated that "there appears presently to be no vacancy in Chicago in either the District Court or the 7th Circuit Court of Appeals but we respecfully ask that the next appointment to any future vacancies or to any additional judgeships created by the Congress be accorded to a member of our Association composed of all of the four hundred Negro lawyers practicing in Chicago, Cook County of Illinois.

The request to the President enclosed the Association's recent Report entitled "Racial Integration in the Judiciary and Administrative positions in Cook County Illinois" which discussed the absence of Negro representation in the U. S. District Court with the exception of two U. S. assistant district attorneys, said Toles.

CITES LETTERS

"We know that you are aware of the fact that there has never been a Negro district judge appointment in the ten federal districts in the United States. We have addressed letters to our Senators Dirksen and Douglas for conferences with reference to this situation and we feel that the time is particularly opportune now for appointment of a Negro lawyer to a federal district judgeship in the Northern district, Illinois when a vacancy occurs" the letter continued.

Citing the present congestion of the Federal court docket with a backlog of 70,000 cases the Association's letter stated the Northern District's case load of undisposed matters totaled some 8500 Civil Criminal and Bankruptcy cases as of September 1959.

Pointing out that the U. S. Judicial Conference had recommended 45 additional U. S. district judges and 2 additional judges for the Northern district here in Chicago the letter stated "should the Ominibus Judicial Bill to create 45 additional Judges be passed by the Congress we appeal to you that one of these appointments may be a Negro lawyer and should there be further vacancies on the District Court or the 7th Circuit Court of Appeals, "it is our respectful request that such vacancy be filied with the appointment of a Negro lawyer.

WOULD MAKE HISTORY

In closing, the Association assured the President "that our Association and the one million Negro citizens residing in Chicago will be eternally grateful for your appointment of the first Negro Federal District Judge in history to participate in a District Courts Judicial supervision of the Administration of Civil and Criminal Justice."

Referring to the Bar Report sent to the President, Toles said that both Senators Dirksen and Douglas were sent letters requesting conferences and copies of the Report and the letter to the President were included.

The report revealed that there has never been a Negro lawyer appointed by the President of the United States to a Federal District Court Judgeship in the 10 Federal Districts in the United States.

SIX NEGRO U. S. JUDGES

There are over 260 federal judges in the Federal Judiciary appointed by the President of the United States. Of these only 6 are Negroes, Judge William H. Hastie of the 3rd Circuit Court of Appeals, Philadelphia, Penn. appointed by President Truman 1949.

Judge Hastie recently dissented in the 2 to one decision upholding the U. S. Government injunction against labor unions in the Steel strike. Judge Irvin C. Mollison, Chicago, Illinois, appointed by President Truman to the U. S. Customs Court; Judge Scovel Richardson, former Chairman of the U. S. Pardon and [illegible] Board, St. Louis, Missouri, appointed by President Eisenhower to the U. S. Customs Court; Judge Andrew Howard and Austin Ficklin, Washington, D. C. appointed to the Municipal Court for the District of Columbia and Judge Walter A. Gordon, Los Angeles, ment has not yet been confirmed Virgin Islands by President Eisenhower (Judge Gordon's appointment has not yet been cinfirmed by the Senate; Senator Eastland, Mississippi, is chairman of the Senate Judiciary Committee and Senator Dicksen, Illinois, Senate Minority Leader is a member.

The recent appointment of Attorney General of Indiana Latham Castle to the 7th Circuit Court of Appeals was the ninth Republican to receive a Federal Judgeship by recommendation of Illinois Senator Dirksen since the present Senate Minority Leader was elected in 1950.

Negro Group Flays Dawson For Entering Land Dispute

MOBILE (AP)—A Negro organization is criticizing U.S. Rep. William L. Dawson (D-Ill) for intervening in a Mobile grand jury inquiry into a land condemnation case here.

The Rev. J. Echols Lowery said Monday a telegram was sent to Dawson, a Negro congressman from Chicago, by the Alabama Civics Affairs Assn. It was signed by Lowery as president and J. L. LeFlore as secretary.

The telegram said Dawson's action in indirectly supporting the administration of Gov. John Patterson in the land case was embarrassing to Negroes of Alabama.

Lowery released a copy of the telegram as follows:

"Prevalent reports which may be construed as linking you with state administration in a situation which it is generally felt did not require such intervention upon your part are embarrassing Negro citizens in this state.

"This is especially true in view of the existing policy of the present governor toward Negro citizens, a policy which is regarded as being hostile and inimical to the best interests of the Negro people of Alabama and of the nation.

"Many Negro leaders who are in the vanguard of the struggle for full equality and justice under the law would appreciate a statement of clarification from you relative to the matter in question."

At Washington, Dawson said he had not seen the telegram and doubted that he would have any reply for publication. He is chairman of the House Government Operations Committee.

A subcommittee of that group sent a House investigator, Arthur Perlman, to Mobile to find out if federal highway funds were misused in the land condemnation case.

The inquiry was based on charges by State Rep. Charles S. Trimmier of Mobile that persons within the Patterson Administration may have exerted political pressure to obtain a large cash award for a Patterson supporter who owned the land.

The Mobile grand jury, while investigating the case, received a telegram bearing Dawson's name. It said Perlman found "not one scintilla (particle) of evidence."

The jury later said in its formal report that it "found no evdence to substantiate any charges against anybody."

chairman Rep. John Blatnik (D-Minn) which Trimmier wants made public.

The resolution reads in part: "Whereas this House desires to have the benefit of Mr. Perlman's report made public to the end that members of this House and the public may be advised of the facts reported to the Committee on Government Operations and further that members of this House may be advised whether statements to this House or which the resolution of censure against Rep. Trimmier was adopted, were accurate or whether this House ought to rescind its resolution of censure . . ."

Trimmier, who was censured with only two members dissenting, has gained at least one sympathizer since his speech. Rep. Sam Nettles, Arlington, in a speech attacking Patterson last Friday, apologized to Trimmier for his vote to censure.

Is Dawson Last Congressman?

By DAN BURLEY

Sober-thinking southsiders this week pondered a new danger to the long time Negro political

WILLIAM L. DAWSON

solidarity of the first, second and third wards in the face of a billion dollar plus near Loop renewal program that will see most of the old Negro residential districts razed.

For the city planning commissioners are moving ahead on schedule to the day in early 1970 when, as one wag put it, "most Negroes will be living in Robbins and even further south in the sticks."

Under the catch-all label of "reclamation," the gigantic Chicago rebuilding program will involve the destruction of hundreds of homes and apartment buildings all the way south from Van Buren st. to 47th st. and from the now going constructed North-South Expressway along Wentworth ave. over to Lake Michigan.

1st District "Lost?"

With this wholesale razing of the former Negro political strongholds almost sure to go is the strategic First Congressman district since the early 1900s one from which Negro votes sent representatives of the big business interests in the Loop as well as the lowly Negro squatters along Dearborn, Federal and State sts. to congress.

But it was not until 1932 that the first Negro congressman — the late Oscar DePriest — managed to stir Negroes from their apathitic political lethargy and send a member of their own race to Washington. Then in succession came Arthur W. Mitchell and the incumbent, William Levi Dawson. The aging Dawson may not be a candidate to succeed himself next year. If he doesn't, will be the last Negro to go to Congress from the first district?

Already the voting strength of the once all-powerful Second Ward has been harshly decimated by such huge housing programs as the gigantic Lake Meadows and Prairie Shores projects which ousted several thousand long-time Negro dwellers to other residential sections further south.

See Political Dog Fight

It's a safe bet that one of the biggest dogfights of all times will result if Dawson choses not to run. Waiting on the sidelines for the first indication that the Old Man won't run and a swarm of would-be candidates including Aldermen Claude W. B. Holman, Ralph Metcalfe, Bob Miller among the Democrats; Dr. T. R. M. Howard, Atty. George Barnes, Arthur J. Wilson, William H. Robinson, and Bill Booker among the Republicans.

Fear of reprisals from Dawson is all that keeps them in line today, many observers declare. But all have that ambition deep down in them to go to Washington and acquire the political might that goes with a congressman's job.

Luxury White Housing

At the same time, city planning projection will reach out very soon to line the lakefront from Roosevelt Road south to possibly 47th st. with a new type of luxury high-cost housing built over the Illinois Central railroad tracks along with high rise luxury apartments rimming the lake from Burnham Park perhaps out to the Hyde Park district. No one in his right mind holds any belief that such housing is to be constructed for Negro occupancy.

With the Illinois Institute of Techonology progressing with its own expansion program which is eating up in big gulps former Negro residential territory in the vicinity of 33rd and State west toward Halsted and East toward South Parkway while the big Michael Reese Hospital expansion going along simultaneously, the day is near when sight of a Negro second ward dweller will be as astonishing as the sight of a Red Chinese in Formosa.

Predicted 30 Years Ago

Actually, what is going on, was predicted more than 30 years ago by the late Edward H. Wright, famed Second Ward Republican Committeeman. Wright stressed the strategic position of the huge Negro population in the heart of the first congressional district and taught it how to vote for advantage.

But Wright was unable to get a Negro candidate who could win, indeed if Wright ever wanted a Negro in Congress, and a white man, Martin B. Madden went to Congress every two years as regularly as the clock ticks off the solid bonanza of Negro votes.

Dawson in 1928 on the GOP ticket made the first full-fledged attempt to unseat Madden, but ironically, it was DePriest who followed him at every ward meeting yelling "The time isn't ripe for a Negro to go to Congress." Strangely, enough, when DePriest learned that Madden had died suddenly in Washington, he changed his tune right away and started hollering, "The time's ripe. Send me to Congress." The Negroes did.

White politicians from before the days of Senators Dineen and Smith; Fred Lundeen and others as well as many LaSalle st. business tycoons plotted ceaselessly against the day when the "inkwell spreading on the blotter of the south side" would be set upright and the Negro "menace" herded to less desirable districts.

They remembered when Michiga ave. and old Grand Boulevard (South Parkway from 29th to 35th sts.) ranked among the finest avenues of the world.

None could stomach the fine homes of the Armours, the Swifts, Palmers and other multi-million- to turn over exclusive Hyde Park aires being turned into kerosene- to be used as a "trap" to entice ghted, roach ridden kitchenette Negroes to quit the second ward lats to accommodate as many as areas they coveted. (They hadn't en Negroes just from the south, reckoned with the big postwar er room. migration of Negroes from Missi- Throughout the years they ne- ppi, Alabama, Arkansas, Louisia- er relaxed their planning to get na and Texas). e area back and turn it lily- hite. Some Negroes think they ere willing although reluctantly,

Ala.'s Patterson 'Hot' Over Dawson

MONTGOMERY, Ala.—Governor John Patterson has hit the ceiling because U. S. Senator Hubert Humphrey (D., Minn.) and Rep. John Blatnik (D., Minn.) have inspired a probe by the House Government Operations Committee into a controversial land condemnation matter at Mobile.

Mr. Patterson is grateful because the probe is in the hands of a Negro, Rep. William L. Dawson (D., Ill.), chairman of the House committee. Patterson charges the Minnesota solons with trying to 'smear" his administration by turning the probe "over to a Negro congressman from Chicago named Dawson." Rep. Dawson was born in Georgia. The probe will go on.—TWA

A. W. Williams Quits Civil Service

Albert W. Williams, who on July 1st would have completed 12 years as Civil Service Commissioner, a longer period of service than any other person serving in that capacity in the history of Chicago, resigned his post effective April 30th.

Williams' letter of resignation, addressed to Mayor Richard J. Daley and dated April 14, gave increasing pressure of expanding business as his reason for stepping out at this time. It also expressed his appreciation for the opportunity of serving his city and for the experience gained and the friendships made during his tenure of service.

A. W. WILLIAMS

Commissioner Williams is president of Unity Mutual Life Insurance Company, president of Unity Funeral Parlors, Inc., vice president and chairman of the executive committee of Illinois Federal Savings and Loan Association, the largest bank owned and operated by Negroes in Illinois.

Williams served as commissioner under two mayors, former Mayor Martin H. Kenelly, who originally appointed him after his first election in 1947 and the present Mayor Richard J. Daley, who re-appointed him following his inauguration in 1955.

The Commissioner's appointment was originally initiated by a loop banker, a very close and influential friend, who asked Williams if he would consider serving on the Civil Service Commission. Williams' indication that he would, brought an official invitation to serve from Mayor Kennelly.

This alone was sufficient to give Williams the independence he exhibited all the years he served as commissioner.

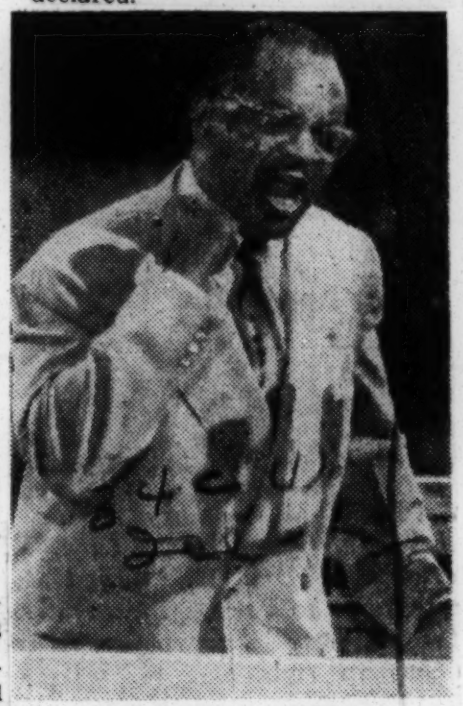
Asked if he would care to comment on the very controversial subject of why Negroes had not been upgraded in the police department, he said:

"Let us look at this realistically. In 1947 there were only 178 Negroes in the police department. Today there are over 1,700. And a vast majority of these men are eminently qualified for any job in the department. Among them are former college students, college graduates and men with legal and pre-legal training. Most of these men are dedicated in their jobs.

"Now, the spade work has been completed. It has taken 12 years to lay the foundation. The movement is beginning today. These men are taking the first steps in the climb toward the top. They now are in the process of taking their physicals for the police sergeants' examination. When the results of this examination are posted and the men selected from the lost to fill vacancies, there will be many Negro sergeants.

"These new sergeants will form the wedge that will open the door to higher positions. They will go on to take the examination for lieutenant. When that list is posted and the vacancies filled from the qualifiers, there will be Negro police lieutenants — not just one lieutenant. The same applies in the case of captains. These lieutenants will be examined to fill the vacancies that develop in the ranks of the captains. There will be Negro police CAPTAINS — not just one captain.

"I predict that in five years all these will be living truths," he declared.



Rep. W. L. DAWSON

Dawson Refuses Reply To "Link" With Ala. Governor

WASHINGTON, D. C. — (BY ASSOCIATED NEGRO PRESS CORRESPONDENT) Drew Pearson, famed political observer and writer, whose Washington Column, the "Merry - Go-Round" is widely syndicated, recently turned the spotlight on Illinois' Democratic Congressman William L. Dawson, veteran of many political skirmishes and leader of his party's Chicago hierarchy.

Pearson, in his column, charged that Dawson ,who heads the powerful House Government Operations Committee, had sent a secret telegram to an Alabama grand jury investigating the alleged criminal acts of Charles Meriwether, a crony appointee of Alabama's Gov. John Patterson.

The reported Dawson telegram was favorable to Meriwether according to Pearson and was aimed at lifting the heat off him by the grand jury.

POLITICAL DEBT

Meriwether, now Alabama's finance director, and formererly Patterson's campaign manager, had been charged with an attempt to increase the nominal appraisal of a parcel of federal highway land, to $180,000. This move by Meriwether, says Pearson, was to pay off a political debt to one Bill Delaney, another crony and henchman of Gov. Patterson. The charge against Meriwether, was made officially in the Alabama State Legislature by Rep. Charles Trimmier of Mobile.

Gov. Patterson is regarded by many as one of the most unprincipled of the younger Democrats of the South, and the arch enemy of Rev. Martin Luther King. Patterson's tactics against the Tuskegee boycott drew condemnation from Negroes all over the country.

APPRAISAL RAISED

Pearson says that almost as soon as Meriwether, a White Citizen's Council adherent and supporter of the Ku Klux Klan, got the finance committee seat warm, the highway land appraisal was raised to $180,000.

According to rumor the Patterson aide was caught dead to rights when a mysterious telegram deflected the grand jury.

All of Washington was mystified by the telegram which Dawson could not be found to explain, according to Pearson.

Contacted at his Chicago office Friday and asked if he would make a statement about the Drew Pearson articles, Congressman Dawson said "No Comment.'

Washington Merry-Go-Round

Alabama Governor Aided By Disclaimed Telegram

By DREW PEARSON

WASHINGTON — Gov. John Patterson of Alabama, who was cussing out Negro Congressman William Dawson of Chicago a short time ago for probing a highway scandal in Alabama, got mysterious and unexpected help overnight from that Negro.

The help took the form of a telegram received by an Alabama grand jury in Mobile then in the act of probing highly embarrassing highway charges that the governor's former campaign manager, now finance director, was trying to increase a highway land appraisal from $1 to $180,000.

DAWSON

Gov. Patterson had made statement after statement trying to belittle the probe, had even denounced the fact that a Negro congressman in Washington, Dawson, chairman of the House Government Operations Committee, was investigating the matter.

... suddenly a mysterious telegram ar... the Negro he had berated, aimed ... the governor.

... was so mysterious about the tele... was the fact that no one knew who ... sent it.

Congressman Dawson's name was signed to it, but his secretary, Miss Norma O. Williams, said it had not cleared through her office.

... clerk of the government operations ...ittee, Christine Davis, said it had not ...nt through her office. The counsel of ...mmittee, Orville Poland, knew nothing about it, nor did the assistant counsel, Robert Brown.

★ ★ ★

FURTHERMORE, the congressman actually in charge of the investigation, Rep. John Blatnik of Minnesota, knew nothing about any telegram.

He said that the committee's report was not yet typed, so that Chairman Dawson had no chance to read it. Thus, the telegram was unwarranted.

Furthermore the report, just brought back from Alabama by committee investigator Arthur Perlman, generally substantiated the charges made against Gov. Patterson's finance director.

Despite this, the mysterious telegram signed by Chairman Dawson had reached the grand jury at 4:30 p.m., reading: "There is not a scintilla of evidence in the land case. We washed our hands of this case on the floor of the House yesterday. (Signed) William L. Dawson, chairman House Government Operations Committee."

Significantly the telegram left Washington at 3:58 p.m. Significantly it was broadcast over Station WKRG in Mobile, a station owned by friends of Congressman Frank Boykin of Alabama, at 4:01.

This was almost 30 minutes before the wire reached the grand jury.

This led to further investigation in Washington. It revealed that Boykin, who opposed Gov. Patterson for election but is now doing his best to win his favor, conferred with Chairman Dawson regarding the Mobile land scandal and urged that no further investigation be undertaken.

Negro Group Flays Dawson For Entering Land Dispute

MOBILE (AP)—A Negro organization is criticizing U.S. Rep. William L. Dawson, (D-Ill) for intervening in a Mobile grand jury inquiry into a land condemnation case here.

The Rev. J. Echols Lowery said Monday a telegram was sent to Dawson, a Negro congressman from Chicago, by the Alabama Civics Affairs Assn. It was signed by Lowery as president and J. L. LeFlore as secretary.

The telegram said Dawson's action in indirectly supporting the administration of Gov. John Patterson in the land case was embarrassing to Negroes of Alabama.

Lowery released a copy of the telegram as follows:

"Prevalent reports which may be construed as linking you with state administration in a situation which it is generally felt did not require such intervention upon your part are embarrassing Negro citizens in this state.

"This is especially true in view of the existing policy of the present governor toward Negro citizens, a policy which is regarded as being hostile and inimical to the best interests of the Negro people of Alabama and of the nation.

"Many Negro leaders who are in the vanguard of the struggle for full equality and justice under the law would appreciate a statement of clarification from you relative to the matter in question."

At Washington, Dawson said he had not seen the telegram and doubted that he would have any reply for publication. He is chairman of the House Government Operations Committee.

A subcommittee of that group sent a House investigator, Arthur Perlman, to Mobile to find out if federal highway funds were misused in the land condemnation case.

The inquiry was based on charges by State Rep. Charles S. Trimmier of Mobile that persons within the Patterson Administration may have exerted political pressure to obtain a large cash award for a Patterson supporter who owned the land.

The Mobile grand jury, while investigating the case, received a telegram bearing Dawson's name. It said Perlman found "not one scintilla (particle) of evidence."

The jury later said in its formal report that it "found no evdence to substantiate any charges against anybody."

Trimmier To Seek Contents Of Report

State Rep. Charles Trimmier plans to lay before his fellow legislators a resolution requesting a congressional committee divulge contests of its investigator's report on a Mobile land condemnation case.

The Mobile legislator was censured by the House in a lopsided vote after he had charged on the floor Feb. 19 that persons within Gov. John Patterson's administration apparently had exerted pressure to get a large cash award for a 40-acre tract of land at Mobile.

His speech triggered investigations by a Mobile grand jury and the U.S. House's Committee on Government Operations. The grand jury reported it found no evidence of wrongdoing and the federal investigator reported no misuse of federal highway funds.

Trimmier, in face of the investigations' results, has maintained that his statements were supported by a report by Arthur Perlman, congressional investigator. It is Perlman's report to subcommittee chairman Rep. John Blatnik (D-Minn) which Trimmier wants made public.

The resolution reads in part: "Whereas this House desires to have the benefit of Mr. Perlman's report made public to the end that members of this House and the public may be advised of the facts reported to the Committee on Government Operations and further that members of this House may be advised whether statements to this House on which the resolution of censure against Rep. Trimmier was adopted, were accurate or whether this House ought to rescind its resolution of censure . . ."

Trimmier, who was censured with only two members dissenting, has gained at least one sympathizer since his speech. Rep. Sam Nettles, Arlington, in a speech attacking Patterson last Friday, apologized to Trimmier for his vote to censure.

Name Negro To Health Board

William N. Thomas, 2125 Forest ave., prominent attorney, appointed to the City Board of Health by Mayor John W. Yager, recently became the first Negro to be named to this position.

Thomas, former president of the Community Improvement Association and Board member of the Indiana Avenue Branch YMCA, is currently a member of the Board of Directors of the Toledo Council of Agencies, chairman of the Child and Family Division of the Social Agencies and a member of the Board of Directors of the Ohio Welfare Conference.

In addition, Thomas is a trustee at the Saint Paul Baptist church, a member of the American Bar Association, the Ohio Bar Association, Toledo Bar Association, and Lucas County Bar Association.

Dawson foe target of fund probe

WASHINGTON

Representative William L. Dawson, (Chicago) Democrat, has filed charges with the special House elections committee that his defeated opponent in the recent election, Dr. T. R. M. Howard, (Rep.), violated the Corrupt Practices Act failing to report $65,000 raised in his behalf by campaign committees

In Chicago, Dr. Howard said Mr. Dawson is "ridiculously in error."

Dr. Howard's report, filed with the Clerk of the House, was prepared by his campaign manager, Fred Wall, formerly a Congressional secretary in Mr. Dawson's Chicago office.

Mr. Wall made out Mr. Dawson's reports during the 14 years he worked in his office Dr. Howard said in Chicago.

"We all had a good laugh about Dawson's statement to the press in Washington," said Dr. Howard.

THE CHICAGO PHYSICIAN maintained that he filed a true report. It showed that he received contributions totaling $2,425, including $1,500 from the United Republican Fund of Illinois, and spent $1,711.

The clerk of the House said campaign committees for Congressional candidates are not required to file reports unless money is collected in two or more states.

Mr. Dawson alleged that $25,000 was raised at a dinner for Dr. Howard in the Hotel Sherman and that $40,000 was raised at a tea held by "the women for Howard" at the Trianon ballroom.

Dr. Howard said he did not and could not report on any money handled by such groups as "Nonpartisan Committee for Howard," "Women for Howard Committee," "Young Women for Howard Committee, "Youth for Howard Committee," "Lawyers for Howard Committee," or "Business and Professional Men for Howard."

DR. HOWARD HOOTED at the charge that $40.000 was raised for him at a "women's tea" in the Trianon ballroom. He said he heard that the gross receipts were $6,000 but the net was much less.

Dr. Howard also denied the charge that $25,000 was raised by the "Nonpartisan Committee" at a Sherman Hotel dinner. He said the affair cleared only $4,000, and the money went to the committee, not to him.

"Money was a scarce object and the $1500 from the United Republican fund didn't reach me until the final week" Dr. Howard said.

"I don't know what Dawson's game is in making these charges and asking the House to investigate. Dawson must feel he was wounded in the campaign."

Mr. Dawson defeated Dr. Howard by a vote of 60,778 to 23,334.

Dawson opens two-day party conference

WASHINGTON

Rep. William L. Dawson, (D. Ill.), will address the opening session of a Party Relations Conference here, July 10-11.

Mr. Dawson is a vice - chairman of the Democratic National Committee. The conference was announced by Paul M. Butler, national chairman.

Reps. Charles Diggs Jr. (Mich.) and Robert N. C. Nix (Pa.) will chair panel discussions during the two - day session.

Mrs. Vel Phillips, national committeewoman from Wisconsin; vice - chairman Katie Louchheim and Arthur Chapin, assistant to the Deputy Chairman for Political Organization will also address the opening session.

Other participants in the conference are; Sen. Earl C. Clements, and Kenneth Harding.

Dr. Robert Martin, professor of political science at Howard University and Oliver A. Quayle, 3rd will also take part in a panel discussion.

Dawson Backed By Voters League

Chicago

The Chicago League of Negro Voters Wednesday told Congressman William L. Dawson that its drive to elect a Negro to the office of city clerk in Chicago is part and parcel of the fight to pass civil rights legislation in Washington, D. C.

In a letter commending the Illinois Congressman for introducing H.R. 300, "a meaningful and practical civil rights bill," Atty. Lemuel E. Bentley, the league's candidate stated:

"Your prompt action is especially timely in view of the defeat the forces of progress recently suffered at the hands of the unholy alliance of southern Democrats and reactionary Republicans, who out-maneuvered senate liberals in their laudable efforts to bring majority rule to the Senate."

"Immediate action on your bill in the House," Bentley continued, "could give new courage to these embattled liberals and establish a rallying point around which they can fight back from their undeserved defeat."

The Chicago League of Negro Voters is a non-partisan and independent group. Atty. Lemuel E. Bentley, 35, is a graduate of John Marshall Law school and a member of the Alpha Kappa Mu Scholastic Honor society.

"In stating that the winning of equal rights for Negro citizens cannot be solved solely by local and voluntary groups and individuals nor left to the cumbersome procedures of litigation," Bentley wrote in his letter to Dawson, "you expressed our views that the conscience of the entire nation must be aroused against the forces of rebellion, which are threatening to undermine the Constitution and wreck the Bill of Rights.

"To us this suggests that you realize the time has come when respected voices must speak out in support of principle without partisan consideration," the candidate of the Negro voters group declared.

Atty. Bentley's bid for city clerk in the Feb. 24, Democratic Party primary marks the first time a Negro has contested for a top executive post in a Chicago primary election.

In apprising Dawson of this fact, Bentley stated: "We hope you believe with us that the time has come when Negro leaders and the Negro people must launch a new offensive, not only against the forces of reaction on a national level but for full and equal representation in every state, city and town of this great country.

"This is the only way we can win the admiration of our friends, the respect of our enemies, and freedom for ourselves," the candidate concluded.

Dawson Afro American hits back at Baltimore Md journalist

Sat 5-2-59

By LOUIS LAUTIER

WASHINGTON (NNPA) — "I don't intend to enter any cross-cribbling with Drew Pearson. I do say he can write his news articles, but he can't run my committee."

That was the terse rejoinder Saturday of Rep. William L. Dawson (D., Ill.) to the series of Pearson columns attacking him for calling off an investigation of a federal highway project in the Mobile, Ala., area.

Mr. Dawson, who is chairman of the powerful House Government Operations Committee, explained to the AFRO that he has no authority to probe into state affairs, unless there is a question of federal money involved.

* * *

"I SENT an investigator to Mobile and he returned to Washington with the information that there had been no misuse of federal funds. Nor could he find any violation of federal statues. That left us with nothing to investigate."

"I defy Drew Pearson or any other man to show where there was anything else involved in this case. Pearson evidentally doesn't know Dawson if he thinks that I will ever pull my punches in matters of concern to my people.

"Furthermore, I have no intention of letting Pearson use me or the House Government Operations Committee to pull his political chestnuts out of the fire."

PEARSON HAS accused Mr. Dawson also of "climbing into bed" with Representative Frank Boykin, who represents the Mobile district, and Gov. John Patterson of Alabama to "sidetrack" a grand jury investigation.

Mr. Dawson had sent Perlman, one of his investigators to Alabama to look into the highway project. Perlman's report, showed that no Federal funds had been spent.

Rep. John A. Blatnick, Minnesota Democrat, chairman of a special committee investigating the roads program, saw the report before Mr. Dawson, and permitted Mr. Pearson to see it.

Mr. Blatnick had originally asked Mr. Dawson for authority to investigate allegations concerning the roads program in Alabama.

* * *

UNDER THE procedure set up, NNPA ws informed, the county acquires property for the State and the Federal Government reimburses the costs. The Mobile project had not yet reached the point where Federal funds had been put in it.

While Perlman was in Alabama, he was served with a subpena to appear before a Mobile County Circuit Court grand jury and bring with him "all statements taken by him and any and all documents in his possession in connection with the condemnation case "of Mobile County v. Southern Furniture Company, Inc.

Under Congressional rules, no staff member of a House or Senate committee may appear as a witness in any case and give testimony concerning committee or Congressional business without the permission of the House or Senate.

* * *

SPEAKER SAM RAYBURN, of Texas, laid before the House on April 14 a letter from Mr. Dawson, as follows:

"Dear Mr. Speaker: Arthur Perlman, an employee of the House, while conducting an investigation at my direction and on behalf of the Committee on Government Operations in Mobile, Ala., has been served with the enclosed subpena.

"I am also enclosing a memorandum of relevant precedents prepared at my request by committee counsel.

"Due to the fact that the presence of Mr. Perlman is requested in Mobile on Thursday (April 16) of this week, I have caused a letter to be sent to the clerk of the Mobile court, a copy of which is enclosed.

"Mr. Perlman will do nothing further in this matter unless expressly permitted by a resolution of the House."

* * *

IN THE LETTER to the court clerk, Mr. Dawson said: "There is not a scintilla of evidence in the land case. We washed our hands of this case on the floor of the House yesterday."

Mr. Boykin reportedly said Mr. Dawson had come to him and told him that the grand jury wanted Perlman to testify and asked him to handle it, but, after he was advised that he might be charged with obstructing justice, he is said to have declined, suggesting to Mr. Dawson that he handle the matter.

In his column of April 20, Mr. Pearson wrote that Gov. Patterson, who was "cussing out" Mr. Dawson for probing a highway scandal in Alabama, "got mysterious and unexpected help overnight from Mr. Dawson.

"The help took the form of a telegram received by an Alabama grand jury in Mobile then in the act of probing highly embarrassing highway charges that the Governor's campaign manager, now Finance Director, was trying to increase a highway land appraisal from $1 to $180,000," Mr. Pearson wrote.

The columnist said Patterson had made "statement after statement trying to belittle the

probe," had even denounced the fact that a colored Congressman in Washington, Dawson, was investigating the matter.

"Then suddenly a mysterious telegram arrived from the man he had berated, aimed at rescuing the Governor," Pearson wrote, adding:

"What was so mysterious about the telegram was the fact that no one knew who really sent it. Congressman Dawson's name was signed to it, but his secretary, Miss Norma O. Williams, said it had not cleared through her office.

* * *

"THE CLERK of the Government Operations Committee, Christine Davis, said it had not been sent through her office. The counsel of the committee, Orville Poland, knew nothing about it, nor did the assistant counsel, Robert Brown.

"Furthermore, the Congressman actually in charge of the investigation, Rep. John Blatnick of Minnesota, knew nothing about any telegram. He said that the committee's report was not yet typed, so that Chairman Dawson had had no chance to read it.

"Thus, the telegram was unwarranted. Furthermore the report, just brought back from Alabama by Committee investigator Arthur Perlman, generally substantiated the charges made against Governor Patterson's Finance Director

* * *

PEARSON SAID the telegram was broadcast over Station WRKG in Mobile, a station owned by friends of Boykin, 30 minutes before the wire reached the grand jury.

"This led to further investigation in Washington," Pearson wrote. "It revealed that Boykin, who opposed Governor Patterson for election but is now doing his best to win his favor, conferred with Chairman Dawson regarding the Mobile land scandal and urged that no further investigation be undertaken.

"Members of the committee stated that Dawson had agreed to call off the investigation, at Boykin's behest, on the ground that no Federal money had been lost. An expose in Mobile by an alert preacher who is also a member of the Alabama Legislature, Charles Trimmier, had prevented any loss.

"It was Trimmier's charges which were being sifted by the grand jury when the mysterious telegram arrived."

Pearson continued that members of Dawson's committee also expressed belief that Dawson had agreed to let Boykin send a telegram to Mobile in his name. Just how Dawson, the senior colored Congressman, happened to make this agreement with Boykin, "one of the most vigorous critics" of the most vigorous critics" of Northern colored people," "nobody could explain."

* * *

PEARSON QUOTED Boykin as exuding, "There's nothing to those charges at all, nothing to them. The grand jury won't find a thing."

But Blatnik spoke differently, Pearson wrote: "We have investigated highway scandals in Nevada and many other states and received excellent state cooperation. In no other state have we had so much evasion and attempted cover-up.

"From now on every highway application received from the State of Alabama will be scrutinized by Congress. The Public Roads Commissioner will be required to send each application from Alabama to the Public Works Committee."

In his column of April 22, Pearson began by saying that Boykin is considered friendly to the White Citizens Councils in Southern Alabama, and Governor Patterson is considered the No. 1 race-baiter in Alabama, but "Dawson climbed into bed with them to sidetrack a grand jury which was working for clean government in Alabama."

* * *

PEARSON explained that Perlman had gone to Alabama "to investigate a smelly highway situation."

"Governor Patterson's campaign manager, now Finance Director, Charles Meriwether, had been charged with trying to increase the appraisal of a piece of Federal highway land from $1 to $180,000 in order to pay a political debt to another of Patterson's henchmen, Bill Delaney of Mobile.

"The Federal Government would pay 90 per cent of the $180,000; so Uncle Sam in effect would be paying off Patterson's friends.

In his column of April 24, Pearson wrote:

"Northern Congressmen for a long time have griped at the way Southern committee chairmen have used highhanded methods in blocking important legislation. Congressman Howard Smith of Virginia, for instance, went off to tend his five dairy herds last summer while vital bills were stymied in his Rules Committee.

"Now the shoe is on the other foot."

Pearson said Dawson went off to Chicago after sending or authorizing a "mysterious telegram aimed at influencing a grand jury in Alabama.

"This grand jury was entrusted with digging into an important highway scandal. It did not seek advice from Washington, though it had sought the testimony of a Congressional investigator sent to Alabama on behalf of the Government Operations Committee.

"He had brought back a report which bore out serious charges . . .

Pearson charged that the telegram sent to the Mobile County Circuit Court clerk over Dawson's signature "not only was untrue, but was couched in terms deliberately calculated to influence the jury. It is against the law to influence a grand jury in Alabama, as it is in most states."

* * *

CONTINUING, PEARSON wrote:

"Blatnik, who was in charge of the investigation, didn't know a thing about the telegram. He knew all about the investigation and should have been consulted. But Dawson didn't bother to consult him.

"Dawson consulted instead with Congressman Boykin of Alabama, a vigorous champion of the White Citizens Councils, who has been wanting to kill the grand jury probe.

"When Blatnik learned of the telegram, he tried to reach Dawson, but Dawson had gone to Chicago. Dawson's staff said they could not reach him.

"Meanwhile the grand jury, meeting in Mobile, was nearing the end of its session. It was supposed to find for or against one of Governor Patterson's henchmen in a serious highway scandal.

* * *

"THE JURY had received a telegram from the chairman of a responsible committee of Congress saying there "was not a scintilla of evidence.' Yet the jurors knew that the Congressional investigator sent from Washington had found just the opposite.

"In this situation, not one member of Congress was willing to go over the head of the absent Dawson and inform the jury that the telegram did not represent the committee's real findings.

"The system of committee seniority is such that the august Congress of the United States was willing to see a miscarriage of justice rather than overrule an absentee chairman."

Pearson added in a note that "Both Dawson and Blatnik are now trying to wriggle off the hook by claiming that Federal funds were not involved in the scandal. This is a technicality which in no way justifies Dawson's wire that no evidence of wrongdoing had been uncovered."

DEMOCRATS—Rep. William L. Dawson, Illinois, is shown with a trio of women who were among the 100 delegates attending a party relations conference called by National Chairman Paul M. Butler. Left to right, Mesdames Lena S. King, both of Baltimore, and Katie Louchheim, national vice chairman.

'Only a Few Globemasters!'

Solon William Dawson Asks Congress For $1/4 Billion to Fight Segregation

WASHINGTON — In a broad-gauged attack on racial discrimination, Congressman William L. Dawson, Illinois Democrat, has asked Congress for more than a quarter billion dollars to fight and eliminate segregation.

Mr. Dawson's $265 million prescription for America's racial malady was contained in a bill he introduced into the House of Representatives last week giving the Health, Education and Welfare Department and the Department of Justice vastly greater powers and funds to combat segregation on all fronts.

The program which Mr. Dawson would have the Department of Health, Education and Welfare administer is one of persuasion and cooperation on the national, state and local levels.

If, when and where the above department fails to win cooperation and compliance, Mr. Dawson provides for the Department of Justice to intervene to see that the direct orders of the Department of Health, Education and Welfare are carried out.

THE DEPARTMENT of Justice is also authorized to undertake civil suits in behalf of complainants who because of lack of funds, intimidation or economic reprisals are restrained from instituting suits in their own behalf.

The Dawson bill also contains a provision to protect such organizations as the NAACP. This provision authorizes the Attorney General to institute action "against any individual or individuals who, under color of any statute, ordinance, regulation, custom or usage, of any state or territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the 14th Amendment of the Constitution because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, ancestry or national origin."

Mr. Dawson's bill for the job he would have the Health, Education and Welfare Department perform is contained in Titles I and II of the statute he seeks.

Under Title I, the department would move forward on all segregated fronts to help communities throughout the nation eliminate segregation. The department would train specialists to help communities. It would advise with public authorities at every level and with private citizens. It would draw up plans for desegregation to be agreed to by local communities. It would help these communities effectuate the plans.

For this job, Mr. Dawson asks Congress to appropriate $3,000,000 for the fiscal year beginning July 1, 1959, and for each of the four succeeding years.

Under Title II, the department would be empowered to advance money to communities for new schools made necessary by desegregation and for loss of revenue from other sources because schools are integrated. Dawson asks Congress to appropriate $50 million for the fiscal year beginning July 1, 1959, and for each of the four succeeding years to do this job.

If the language of the Congressman may be paraphrased, he is telling Congress:

"Give me simply the money you put into a half-dozen Globemasters and I'll guarantee a solution of the race problem."

Auf Wiedersehen—Mrs. Floy Clements, first Negro woman ever elected to the Illinois General Assembly, received able assistance as she set out for the opening of the 1959 session in Springfield, Ill. On hand to see her off was Chicago Fourth Ward alderman, Claude W. B. Holman, shown giving her a lift with her bags. She hails from the 22nd Representative District.

Earl Strayhorn Named To Civil Service Commission

A City Council committee yesterday approved the appointment of Atty. Earl E. Strayhorn as a commissioner on the Civil Service Commission.

Approval of the appointment by Mayor Daley which was made last Wednesday took place in a somewhat stormy session of the committee during which bickering between the aldermen took precedent over the actual confirmation of Strayhorn's appointment.

An anticipated turmoil over a newspaper story linking Strayhorn with the current bail bond scandal evolved into a minor ruffle when the noted attorney explained to the committee that his firm of Rogers, Rogers, Strayhorn and Harth had simply filed a petition to vacate a bond forfeiture and that he, Strayhorn, had simply notorized the petition by affixing his signature.

NOT GUILTY

Asked by Alderman Jack I. Sperling (50th) if he wished to comment on the matter, Strayhorn calmly explained the position of his office in the matter, adding that neither he nor his firm were guilty of any complicity to defraud or cheat the city.

Other aldermen at the hearing vindicated Strayhorn's firm's action in the matter and commended his firm for filing a petition when so many bond forfeitures have been vacated without a petition being filed.

Although Strayhorn's appointment was approved unanimously by the committee and will go before the full council chamber for approval Wednesday, the hearing was prolonged, to the dismay of certain aldermen present, by questions posed by fifth ward Alderman Leon Despres.

Despres primarily wanted to know if Strayhorn had formulated any opinions concerning commission policy on hiring temporary civil service employees.

Although it was not brought out

ATTY. STRAYHORN

in the hearing, Despres' questions were intended to attack the accepted policy of hiring temporary civil service employees who eventually become permanent in a temporary status while there exists waiting lists of persons waiting to be employed with civil service qualifications.

NOT FAMILIAR WITH POLICY

This condition exists primarily among some 5,000 lower echelon employees whose appointments result generally from political patronage.

While given permission to refuse to answer the question by the committee chairman and several aldermen present, Strayhorn stated that he had no preconceived notions about the commission policy and would be glad to submit himself to further questioning after he had become more familiar with commission policy.

The 41-year-old Strayhorn succeeds A. W. Williams, president of Unity Funeral parlors and insurance co., who resigned from the three man commission.

Strayhorn is a graduate of the University of Illinois and DePaul University law school and has been a partner in his own law firm since 1952.

He was born in Columbus, Miss., April 24, 1918 and came to Chicago in 1924. A product of Edmund Burke elementary school and Tilden Technical high school, he is married to the former Miss Lygia Jackson and is the father of Donald R., 12 and Earlene E., six. A third child, Earl, Jr., died in 1949 at the age of five.

He is presently a captain in the Illinois National Guard, a veteran of World War II, and a member and officer of Grace Presbyterian church.

34c(1) 1959

ILLINOIS

JAMES A. JOHNSON
PAGE BOY
U.S. HOUSE OF REPRESENTATIVES

Negro Lad Is Named Page Boy

CHICAGO (AP)—A Chicago boy left for Washington Tuesday night to become the [illegible] page boy in the U.S. House of Representatives.

The youth, James A. Johnson Jr., 14, was appointed a page under the sponsorship of Rep. Barratt O'Hara, a Chicago Democrat.

O'Hara, who said there was a slight mixup over approval of the boy's appointment by the House Patronage Committee, said he had been assured by Southern congressmen they would not oppose it.

"I inquired more than a year ago, when the boy's name first was mentioned to me, if there ever had been Negro pages before in the house," O'Hara said. "I did not want to push the boy into an integration battle which might prove embarrassing.

"I was assured that there had been Negro pages before. Now they contend the House never had one, but my grandson, Barratt III, told me that when he was a page there were Negro pages."

TAKING A MOMENT of well deserved relaxation in the home of his brother, Love Calbert of 3430 1/2 Grand, is Clarence E. Calbert, his wife, Jacqueline and daughter, Karen. The Calberts visited here prior to leaving for Los Angeles last week.

Public Health Expert Visits Louisville Friends

In hte words of Clarence E. Calbert, the United States Foreign Aid Program has done much to alleviate the conditions of disease ridden Asian countries and initiate invaluable public health programs.

Calbert, a Shelby county native who attended school here, is a public health consultant with the U. S. Department of State. He recently returned to Louisville after a six and a half years serving as advisor to the Ministry of Health, Government of India with headquarters at New Delhi.

The public health expert, on leave from the U.S. Public Health Service on loan to the State Department's Foreign Technical Aid program, has been in the public health field for over twenty years. His current duties are under the auspices of the International Cooperation Administration.

Calbert, his wife, Jacqueline and 2 year old daughter, Karen, were in Louisville recently visiting relatives and friends before returning home to Los Angeles. His wife is a former public health nurse here. Their daughter, an Indian by birth, was adopted by the couple during their stay in the Indian capital.

His specific assignment while in India was as an advisor to the Ministry of Health on water purification and the training of public health personnel. Calbert said that the Indian life span has increased considerably during his stay in the country.

Calbert's participation in the development of the public health program in India has been a source of pride to him. "In 1952," he said, "India was faced with a health problem. During the last six and a half years great strides have been made to remedy this situation. They now have competent personnel, improved water supply and have solved innumerable other sanitation problems."

With his Indian assignment now terminated, Calbert will serve in a similiar capacity with the Chiang government on Formosa. Prior to assuming his duties at Formosa this September he will attend a special course on water analysis at the University of Minnesota.

Exploring new methods and study of public health is nothing new to Calbert. After completing high school he attended Louisville Municipal College where he graduated with a degree in chemistry.

Leaders To Cite Veteran Ind. Solon

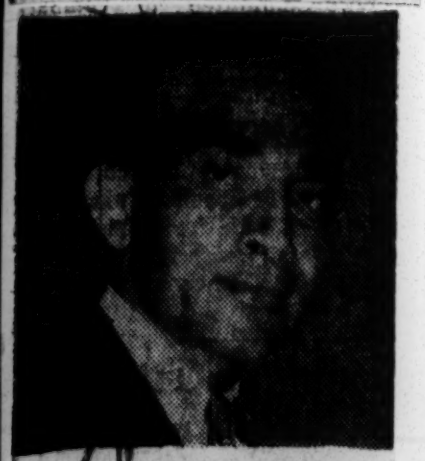
National, state and local figures will pay tribute to State Rep. James Hunter, who is one of the oldest Negro state legislators in the country, at a testimonial dinner March 16, at Pulaski Post, 4003 Alder st., East Chicago, Ind., at 6:30 p. m.

Hunter entered the legislature in 1940. His most important bill was introduced in 1948 and called for the gradual integration of schools to be completed by 1954. The bill also called for it to be unlawful to discriminate in the hiring of teachers.

Although Hunter has been in ill health since last October with more than a month of that time spent at Billings hospital, he is attending the present session of the state assembly in Indianapolis.

The popularity of the State representative was proven when Mayors Walter Jeorse of East Chicago, George Chacharis of Gary, Edward Dowling of Hammond and the mayor of Whiting (an all white town) agreed to sell tickets for the testimonial through their offices.

Hunter has been one of the leaders in the fight for equal rights and better labor laws.



REP. JAMES HUNTER

Gary Negro City Atty.

Harry Schell, 48 year old lawyer, Wednesday became the first Negro appointed to a high Gary city office when Mayor George Chacharis named him City Attorney of Gary to succeed his former boss, Paul R. Piazza, who resigned the post because of ill health.

Schell had been assistant city attorney since 1953. No Chicago Negro holds a similar position.

Born in Atlanta, Schell was brought to Gary in 1924 by his mother who retired from public school teaching in 1950.

The new City Attorney, which is a position similar to Chicago's Corporaton Counsel, is a graduate of Fisk University and the Indiana University Law School.

He has been practicing law in Gary since 1939. Of Gary's total population of 168,000, there are perhaps 40,000 Negroes.

Mrs. Fowler Congratulating Viet-Namese

Saigon, Viet-Nam—Mrs. Gwendolyn M. Fowler, ICA Mission to Viet-Nam official, upon his return from study in the U.S.A. under ICA's technical program.

A native of Des Moines, Mrs. Fowler returned to the United States after four years in Saigon. She is the daughter of Mrs. Olin Cooper of 1112 11th Street.

Gwendolyn Fowler, Official To Viet-Nam, Returns to U.S.

Mrs. Fowler arrived in Des Moines Monday and is the guest of her parents, Mr. and Mrs. Olin Cooper, 1112 11th St.

Saigon, Vietnam—Mrs. Gwendolyn W. Fowler of Des Moines, Iowa has returned to the United States after four years in Saigon as an official with the International Cooperation Administration's Mission to Vietnam. Mrs. Fowler, who resides at 1112 11th Street, Des Moines, was for many years an employee of the Iowa State Government, serving in both the Department of Health and the Department of Agriculture.

Appointed in 1955

Educated at the University of Iowa and Drake University, Mrs. Fowler was appointed as program analyst to the ICA Mission to Vietnam in March 1955. Vietnam ,one of the three new independent nations created five years ago from that part of Southeast Asia previously known as French Indo-China, is one of the many newly developing countries now receiving American economic and technical assistance through the U. S. Mutual Security Program.

Throughout Vietnam, schools are being built, health and sanitation facilities are being repaired and constructed, roads and communication facilities rehabilitated, new industries developed, and agriculture production increased through the joint efforts of the Vietnamese Government and the ICA Mission.

Trainee Programs

Mrs. Fowler was also associated with ICA's "trainee" program for Vietnam. Under this program selected Vietnamese students, civilians, and government officials are sent to the United States and other countries, for varying periods of time, to be trained as technicians and administrators in those fields of modern technology for whcih Vietnam has a shortage of trained personnel. Some 500 Vietnamese have been sent abroad for specialized study during the period June 1955-June 1959, 150 of whom were sent to the United States.

Civic Activities

During her assignment in Saigon, Mrs. Fowler was active in community affairs. In addition to her work with the International Women's Association, she participated in the activities of the Vietnamese-American Association, a private organization of public spirited Americans and Vietnamese which fosters cultural exchange between the two nationalities.

Marylander To Serve In Brazil On New ICA Post

Chicago Defender Chicago, Ill.
Sat. 8-5-54.

WASHINGTON, D. C. — Ernest D. Diggs of Westminster, Md., departed for his new post in Rio de Janeiro, recently where he will serve as general services officer with the International Cooperation Administration's Mission to Brazil.

Brazil one of 20 Latin American republics participating in the U. S. Mutual Security Program which is encouraging and assisting economic development within the Western Hemisphere. Because of its strategic location, immense size, uncataloged wealth of natural resources and rapidly expanding industry, Brazil plays a major role as a key nation of the free world.

Diggs joined the Mutual Security Program in June 1952 and was assigned to Tehran, Iran, as property control officer. From 1954 to 1956 he served as Provincial administrative officer of the Caspian Sea region in Northern Iran. For the past two years he has been assigned to Afghanistan as assistant supply advisor to the ICA Mission. In May of this year he visited the USSR for a period of three weeks.

WORLD WAR II VET

During World War II, Diggs spent four and a half years on active duty in England and Africa. From 1946 to 1948 he served with the American Graves Registration Command in France, Belgium and Holland and with the War Crimes Commission in Nurnberg, Germany. Diggs was then appointed transportation officer with the United Nations Refugee Program and served in Frankfort and Munich, Germany, until 1950, when he joined the Displaced Persons Commission, Department of State, in Germany. While stationed in Munich, he studied for two years at the University of Maryland's Extension Program.

Diggs has recently received the Ten-Year Award for Government Service. He has also been the recipient of commendation letters

ERNEST D. DIGGS

from the War Crimes Commission, the International Refugee Organization and from ICA. "With the excellent job opportunities offered me during my government employment, I sincerely hope that some bright young students will take advantage of job potentials that are available in our country's overseas service," recommends Diggs.

While on home leave, Diggs has assisted his brother, Richard Frye, in cooperation with Mr. and Mrs. Robert Scott, all of Westminster, in a low-cost housing project in that area to provide better living quarters for those in the low income bracket. Twelve units will be ready for occupancy March 1, 1960.

tion system, since 1957. He was accompanied by his wife Dorothy and their three children, Juarlyn, 11, Dorothy Jean, seven and Karen, four.

* * *

MR. GAITER was sent to Indonesia to train a small corps of Indonesian teachers in all phases of machine woodworking so that they in turn could train other teachers in the field.

He was a member of a team of vocational educational experts who were sent here by Tuskegee Institute, Tuskegee, Ala.

The U.S. Mutual Security Program is cooperating with the newly independent Republic through projects in education, agriculture, public health, industry, labor training, public administration and transportation.

Mr. Gaiter cites a good future for the woodworking industry in Indonesia. During his stay he helped the relief of the serious teacher shortage by teaching at the International School in Djakarta.

Prof returns from Indonesia

Atlanta Daily World
Atlanta, Ga.

DJAKARTA, Indonesia—Worrell G. Gaiter, associate professor of industrial education at Florida A. and M. University, has returned to the United States after completing a contract under the International Cooperation Administration in Indonesia.

Mr. Gaiter has been assisting the Indonesian Ministry with its program of improving and expanding the technical educa-

Omaha's McCaws Visit U.S. From Korean Jobs

Defender Sat. 9-4-59

SEOUL, KOREA — Two staff members of the International Cooperation Administration's Mission to Korea, Mr. and Mrs. Arthur B. McCaw, Omaha, Neb., are returning to the U. S. on home leave.

McCaw was state budget director of Nebraska at Lincoln during the period 1952-1954 and a member of the Douglas County Tax Appraisal Board at Omaha. Mrs. McCaw is a former art teacher in the Omaha Junior high school system.

The objectives of the U. S. Mutual Security Program in Korea are to strengthen the Korean armed forces and to enable the Republice of Korea to assume a greater share of its national defense costs.

The Program also encourages Korea's self-support through increased production and the training of Korean administrative and technical personnel.

PROGRAM OFFICER

As program officer of the Special Project Operations Office of the ICA Mission, McCaw has assisted in the development of the gigantic Chungju Fertilizer Plant, which is nearing completion. Projects are under way to train workers for the plant and to provide housing for the operational staff as well as to supply coal and fuel oil in sufficient quantities to begin operations.

WIFE AND MINISTRIES

To assist the American technicians and various Korean Ministries in providing demonstration and educational materials used for improving health and sanitation, increasing the yield of agriculture and assisting rural villagers to improve their living standards, the audio-visual division of the Mission offers its services by furnishing communications media.

Supplying exhibits, material for pamphlets, books, posters and displays are under the direction of Mrs. McCaw and her staff of Korean artists.

She works in a busy studio in a quonset hut in the Yongsan Offices of the Mission.

SCHOOL OF FINE ARTS

Born in Leavenworth, Kans., McCaw attended Omaha high school and is a graduate of the Omaha university Law School. Mrs. McCaw, the former Valaria Lee of Fort Worth, Tex., received her B. S. degree from the Municipal university of Omaha, School of Fine Arts.

The McCaws have announced the recent marriage of their daughter, Janet, an occupational therapist, to Lt. Clifton Johnson, who has been serving with the U. S. Army in Korea.

Lt. Johnson has been assigned to Fort McClelland, Ala.

Enroute to the United States Mr. and Mrs. McCaw visited their son, Melvin, a student of Moorhouse college who has been studying in Germany. Another daughter, Mrs. James Lincoln, lives in Omaha.

Courier
Pittsburgh, Pa.
Sat. 9-4-59

From Korea—

Arthur B. McCaw, of Omaha, and former Director of the Budget for Nebraska, is returning home on leave from Korea. Mr. McCaw serves in the Special Projects Operations Office of the International Cooperation Administration.

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Selected by Governor To Fill Vacancy on Municipal Court Bench

Christmas 1958 . . . was the best ever for a Des Moines attorney and his lawyer wife.

The morning after Christmas he received word of his appointment to fill a vacancy on the municipal court bench. Tomorrow morning (Friday) he will be sworned in becoming the first Negro judge in Iowa history.

In a filmed television appearance Glanton expressed his appreciation: "I am very happy for this appointment especially for my wife. I will do all in my power to prove worthy of the confidence placed in me by the Governor."

Means Great Deal

"It will mean a great deal to the people of Iowa . . . especially the Negro people," he continued. "I feel that the progressive thinking people are completely behind the appointment."

In a personal interview Glanton reiterated his belief that Negroes were especially pleased over the appointment of a member of their race. His wife, Willie, an accomplished attorney in her own right smiled happily, saying, "We are very happy . . . it was the nicest Christmas ever."

"We feel this all came about through the hard work of our friends who helped up when Luther ran in the municipal election several years ago," she added.

Well Wishers

Meanwhile, the phone rang almost incessantly from well wishers and friends in the city, around Iowa and some came from out of state newspapers requesting photographs. For a while right after the appointment, the phone rang so continuously that even the governor's office could not get through to him.

(Editor's Note: "WHO'S WHO IN IOWA", which usually appears as a separate article in this paper will be dedicated to Iowa's newest, distinguished citizen, which our series would not be complete without his life story. To avoid repitition in a later article we are presenting Municipal Judge Luther Glanton, jr., as the 45th in our weekly series.)

Glanton's appointment will fill the unexpired term of Municipal Judge Don L. Tidrick, who was elected to the Polk county district court, and will run through 1959. He was chosen from among seven candidates by Governor Herschell Loveless to fill the post which pays $8,000 a year.

Law Education

Born in 1913 in Murfreesboro, Tenn., where his father still resides, Glanton, graduated from Tennessee State University and Drake University School of Law. He took advance studies at Northwestern university, Chicago, Ill., and La Corbonne university in Paris.

After graduating from Drake he served as president of the Des Moines Pan-Hellenic council. Following admittance to the Iowa Bar in 1942 Glanton served five and one-half years as assistant county attorney for Polk county, a position Mrs. Glanton recently resigned.

Rights Activities

Glanton is well-known in civic activities, especially in the field of human rights. Since coming to Des Moines he has served as president of the state and local NAACP organizations, and the Des Moines chapter of ADA. He is also a member of the Governor's commission on Human Relations, the governor's committee on the United Nation and the Iowa branch of the A.A.U.N.; the Des Moines Human Rights and Job Discrimination, Des Moines Area Council Commission on Interracial Fellowship and the Des Moines Interracial Commission. He served as vice-chairman for the 1958 U.N. observance for the governor's committee.

"Keys To City"

In October 1957 he returned to his native state where he and his wife was presented the keys to the city of the state capital, Nashville by its mayor. Three years ago he was an unsuccessful candidate for municipal court judge losing by a little over 2,000 votes.

Glanton and his wife reside at 818 W. 15th street and are the parents of a two-year-old son, Luther III.

GLANTON

* * *

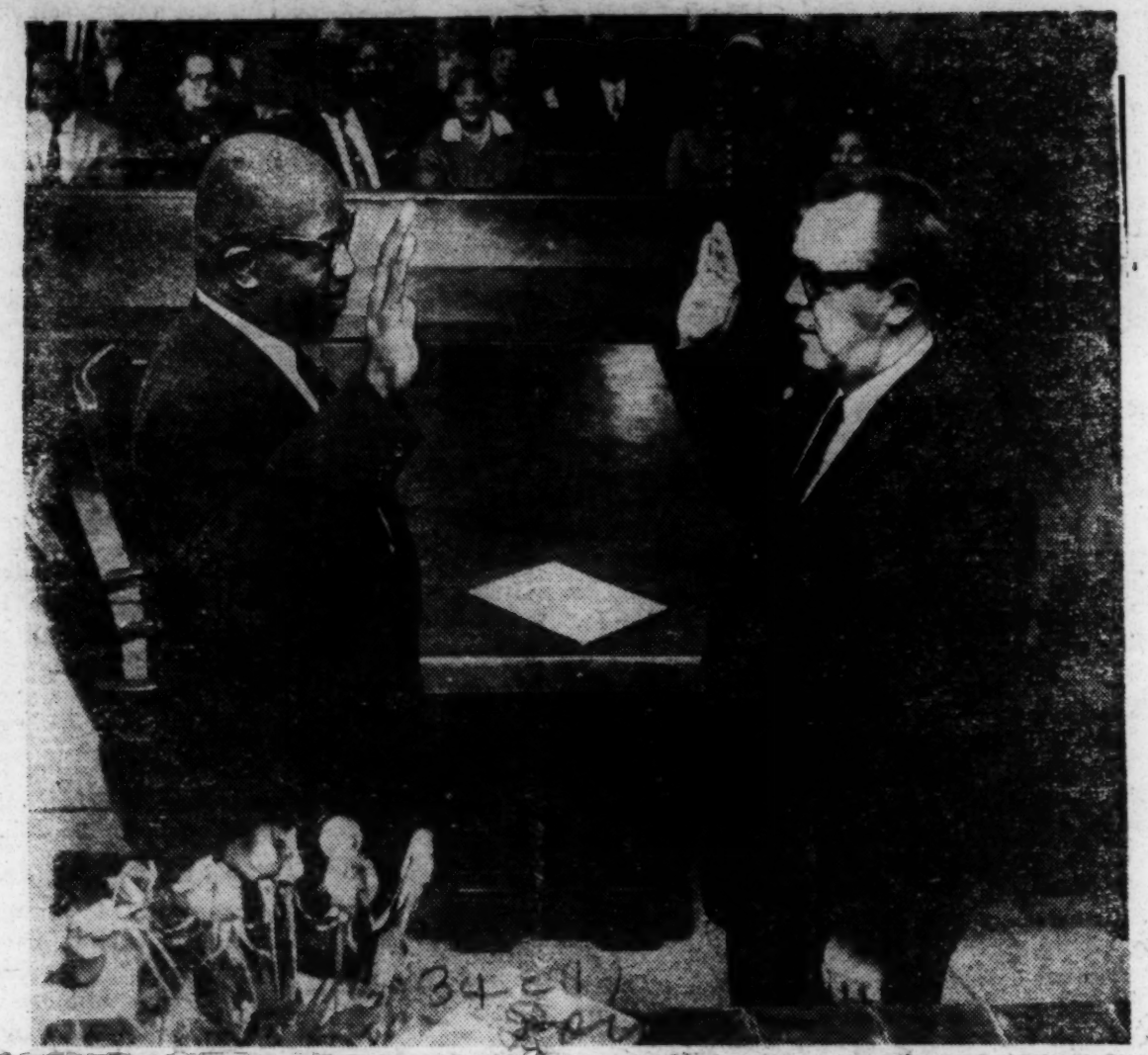
MRS. GLANTON

Negro Judge Named In Iowa

DES MOINES (ANP) — Iowa got its first Negro judge this week. Luther T. Glanton became the first Negro judge in this state when Gov. Herschel C. Loveless appointed him to fill a vacancy.

A graduate of Drake university law school, the 45-year-old Glanton was one of seven candidates for the municipal judgeship, and was the only Negro candidate for the appointment.

JUDGE LUTHER GLANTON SWORN IN



Iowa got its first Negro judge as Luther T. Glanton, 45, (left) was sworn into the judgeship by Municipal Judge Howard W. Brooks as a crowded courtroom of well wishers and interested spectators looked on.

Judge Glanton took over the criminal bench New Year's day and will preside over that court three months. Among those in the courtroom were his wife, Mrs. Willie Stevenson Glanton, an attorney also, who resigned her position as assistant county attorney recently.

Judge Glanton was honored in a special program by the Men's club at St. Paul A.M.E. church Sunday afternoon. He and Mrs. Glanton also appeared as guests on the Gordon Gammack's television show Sunday evening. **Photo courtesy of Des Moines Tribune.**

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LIBERIA

Govt. Assignment For Dr. Theresa Love

BATON ROUGE, La. — A Southern University professor has been requested by the Federal Government to do a special assignment at the University of Liberia,, Monrovia, starting February 1, 1959, it was announced by Dr. F. G. Clark, president of Southern. She is Dr. Theresa Rice Love, professor of English and chairman of the Freshman English program.

The Government request came to Dr. Love in the form of a grant by the U. S. Department of Health, Education and Welfare, which was issued under the Smith Mundt Act.

Southern Univ. Professor Off To Monrovia

BATON ROUGE, La.—A Southern University professor has been requested by the Federal Government to do a special assignment at the University of Liberia, Monrovia, starting Feb. 1.

She is Dr. Theresa Rice Love, professor of English and chairman of the freshman English program.

The Government request came to Dr. Love in the form of a grant by the U. S. Department of Health, Education and Welfare, which was issued under the Smith-Mundt Act.

Ike Is Making A Mistake

When Abraham Lincoln came into office in 1860 he became the first president to recognize Haiti which had been an independent country since 1804, and Liberia which had been independent since 1847.

In those days the Republican party claimed credit for acknowledging the independence of these two colored countries which the Democrats had spurned.

Since 1870, in an unbroken line, there have been 27 colored American minister residents, consuls general, or ambassadors to Liberia. Here is a list of them:

1870-1870—James W. Mason, Ark.
1871-1878—J. Milton Turner, Mo.
1878-1881—John H. Smyth, N.C.
1881-1882—Henry H. Garnett, N.Y.
1882-1887—John H. Smyth, N.C.
1885-1887—Moses A. Hopkins, N.C.
1887-1888—Charles H. J. Taylor, Kan.
1888-1890—Ezekiel E. Smith, N.C.
1890-1892—Alexander Clark, Iowa
1892-1895—William D. McCoy, Ind.
1895-1898—William H. Heard, Pa.
1898-1900—Owen L. W. Smith, N.C.
1901-1903—John R. A. Crossland, Mo.
1903-1910—Ernest Lyons, Md.
1910-1913—William D. Crown, S.C.
1913-1913—Fred R. Moore, N.C.
1913-1915—George W. Buckner, Ind.
1915-1918—James L. Carter, N.Y.
1918-1921—Joseph L. Johnson, Ohio
1921-1927—Solomon P. Hood, N.J.
1927-1930—William Francis
1930-1935—Charles L. Mitchell, W.Va.
1935-1945—Lester W. Walton, N.Y.
1946—Raphael O'Hara Lanier, N.C.
—Edward L. Dudley
1953-1955—Jesse D. Locker, Ohio
1955-1959—Richard L. Jones, Ill.

THE OTHER DAY, on the recommendation of Vice President Nixon and Secretary of State Herter, announcement was made that a white ambassador will be sent to Liberia.

Isn't President Eisenhower making a mistake?

What kind of argument can he make for changing a tradition which has lasted through administrations, Democratic and Republican, for the past 89 years?

In addition to the tradition, colored people have a tremendous interest in Africa, the continent from which their ancestors came to America.

Africa is one of two continents rich in material and human resources, which is climbing with increased crescendo to independence and a place of importance among world powers.

In our judgment, this is no time for the President, either for political or any other reason, to change this ambassadorial post from colored to white.

We have a different situation in Haiti to which this country has sent eight colored ministers between the years 1869 and 1913.

On the other half of the island, known as San Domingo, five colored charges d'Affairs were sent from 1893 to 1905.

* * *

HERE IS a list of Minister Residents, Consuls General and Charges d' Affaires to Haiti and the Dominican Republic.

Haiti	Dominican Republic
1869-1877—Ebenezer D. Bassett, Pa.	1883-1885—John M. Langston, D.C.
1877-1885—John M. Langston, D.C.	1885-1889—John E. W. Thompson, N.Y.
1885-1885—George W. Williams, Ohio	1889-1892—Frederick Douglass, D.C.
1885-1889—John E. W. Thompson, N.Y.	1892-1897—John S. Durham, D.C.
1889-1891—Frederick Douglass, D.C.	1897-1905—William F. Powell, N.Y.
1891-1895—John S. Durham, Pa.	
1897-1905—William F. Powell, N.J.	
1905-1913—Henry W. Furniss, N.J.	

Once the United States supplanted its colored ministers to Haiti and San Domingo, these posts have been filled by white persons.

The change was made by presidents who were Democrats, and Republicans never reversed them.

If President Eisenhower wanted to express his faith and his confidence in colored people, he would not only return colored ministers to Liberia, but send them also to Haiti and San Domingo.

* * *

SOME PRESIDENTS have given as an alibi that they cannot give to colored diplomats reasonable representation in the State Department's foreign service because the countries themselves may object.

That was the Presidents' polite phrase for "the time is not ripe yet."

We think the President is making a mistake in appointing white men to these posts.

Our people and our country have too much at stake in Africa for the President to make blunders in diplomatic appointments.

Thoughtful Africans would certainly wonder, whether or not it is a part of America's jim crow policy, as they are asked to accept American white persons as ambassadors, when competent colored persons are not only qualified, but willing to go.

President Eisenhower's appointment of Clifton R. Wharton, colored, as minister to Rumania is a step in the right direction, but does not warrant the elimination of colored ambassadors to Liberia, Haiti and San Domingo.

Richard L. Jones, 65, quits ambassador post

WASHINGTON (NNPA) — President Eisenhower Thursday accepted the resignation of Richard L. Jones of Chicago as Ambassador to Liberia on a date to be determined.

The 65-year old Jones was appointed May 31, 1955. At the time he was vice president and public relations director of the South Center Department Store in Chicago.

MR. JONES wrote the President that he was submitting his resignation in order to return to his business activities. The President, in accepting the resignation, thanked Mr. Jones for his services in "a most challenging assignment."

The White House also announced the appointment of Robert L. Chambers of California as a member of the Government Contract Committee to replace Daniel F. Gainey, who resigned, and the reappointment of Ward M. Canaday of Toledo, Ohio, as a member of the Board of Directors of the Virgin Islands Corp. for the term expiring June 30, 1965.

* * *

MR. CHAMBERS is currently president of the Soapstone Duck Co., and of the Buytl Corporation, a synthetic rubber firm. A 41-year old Republican, he lives in Atherton, Calif. He has been active in various civic clubs in San Francisco and Palo Alto.

Mr. Canaday is a member of the executive committee and president of Willis Overland Co. From 1948 to 1952 he was chairman of the United States Section of the Caribbean Commission.

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LOUISIANA

Gov. Long Appoints N.O. Parole Officer

Sat. 5-30-59

The Governor Earl K. Long administration last week made history in Louisiana by appointing a Negro parole officer for Orleans Parish. He is Weber B. Stevens, 46, 1952 North Dorgenois Street, who qualified for the position by successfully competing in a state civil service examination.

Mr. Stevens' appointment was made effective May 16 by Parole Board Director A. L. Bryan, Baton Rouge.

The new appointee's duties will consist of supervision of parolees from Louisiana penal institutions. These parolees must report to him once each month and give account of their employment and other activities.

Mr. Stevens, who previously worked 17 years for the Pullman Company, was the first Negro to be designated precinct co-captain for the Long political forces in the Seventh Ward which has more Negro voters registered than other other balloting sub-division in Louisiana

for Orleans Parish. The first Negro in Louisiana to hold this position, Mr. Stevens qualified as the result of a civil service examination.

CITES PAROLE OFFICER—Dave Brown, right, popular New Orleans businessman, last week paid a surprise visit to the home of State Parole Officer and Mrs. Weber B. Stevens and presented Mr. Stevens with a bronze plaque for "meritorious services to the community" throughout the years as a dedicated civic worker. Mr. Stevens, left, was appointed two months ago and is the first Negro to hold such a position in Louisiana. (Porter Photo).

Weekly
New Orleans, La.
Sat. 8-1-59
p. 2

APPOINTED — Weber B. Stevens, New Orleans, has been named a state parole officer

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MARYLAND

2 women make history as Md. Legislature opens

By MAX JOHNSON

ANNAPOLIS — A new chapter in racial relations and racial advancement was added to Maryland history here Wednesday, as two colored women became members of the state's law-making General Assembly.

They are Mrs. Verda F. Welcome and Mrs. Irma G. Dixon. Both are Democrats, and are two of the six House of Delegates members representing Baltimore's Fourth District.

J. Alvin Jones, also a Democrat and representing the same district where a majority of the residents and registered voters are colored, took a State Senate seat, as a third colored lawmaker.

They were sworn in with new members of the 1959 General Assembly for four-year terms.

They are holding elective public offices for the first time, having been victorious on their first bids.

OVER 100 relatives and friends were present in delegations to witness their taking oath of office.

Mrs. Welcome is a former teacher and civic leader, who ran as an independent Democrat and member of the Fourth District's Coalition ticket.

Mrs. Dixon, also a former teacher and business woman, and Mr. Jones, retired from a specialist position with the Maryland Unemployment Service, were backed as members of the district's political machine.

Mrs. Dixon was also supported by the Coalition forces.

* * *

FOLLOWING organizational proceedings Wednesday, the introduction of a few bills and an address by out-going Gov. Theodore R. McKeldin, the General Assembly recessed until Monday evening.

The organization of the Senate placed Senator George W. Della, (Sixth Dist., Balto.) as president. He is a Democrat.

Mrs. Mary L. Nock, (Wicomico Co.) also Democrat, was appointed president pro tem, and will be the first woman to preside over a Maryland Senate.

The floor leadership went to Senator Edward S. Northrop, (Montgomery Co.) Democrat.

On the House side, Perry O. Wilkinson (Prince Georges Co.) was the Democrat given the House Speaker post.

Jerome Robinson (Fourth Dis., Balto.) became speaker pro tem. A. Gordon Boone, (Balto. Co.) was returned to the floor leader spot.

* * *

DEMOCRATS HOLD a whopping majority in the General Assembly.

The new Senate has 26 Democrats and 3 Republicans, as compared to 21 Democrats and 8 Republicans during the past four years.

The new House of Delegates has 116 Democrats and 7 Republicans, as compared to 98 Democrats and 25 Republicans from 1954-58.

The new colored members of the General Assembly form the second group of legislators of their race to sit in Annapolis in Maryland history.

The 1954-58 General Assembly had Harry A. Cole, Republican, as State Senator and Truly Hatchett, Democrat, and Emory R. Cole, Republican, as House of Delegates members, all representing the Fourth District in Baltimore.

Mr. Hatchett was among the spectators at the General Assembly opening on Wednesday.

He lost his bid for re-election in the past May primary, when the Fourth District Democratic machine failed to support him.

The former Senator Cole and Mr. Cole were defeated, as Republican Coalition ticket members, in the Democratic vote tide that swept the general election the past November.

4TH DISTRICT LEGISLATORS—This group of House of Delegates members represents Baltimore's Fourth Legislative District in Maryland's General Assembly. Taking oath of office here, left to right, are: Richard T. Rombro, Murray Abramson, Mrs. Irma G. Dixon, Sol J. Friedman, Mrs. Verda F. Welcome and Jerome Robinson, who administered the oath of ofiice, as House speaker pro tem. All are Democrats.

Sam's out

SAMUEL T. DANIELS

BALTIMORE

Samuel T. Daniels, executive secretary of the Governor's Commission on Interracial Problems and Relations, has submitted his resignation effective March 18.

The resignation was submitted to William C. Rogers, chairman, and other members of the commission on Thursday.

Mr. Daniels, who resigned a schoolteacher post in Dec. 1955, to work with the Commission, is expected to take a new job in private industry.

His resignation renders unnecessary a bill introduced in the Legislature by State Senator J. Alvin Jones (D-4th), which would have empowered the Governor to appoint the Commission's secretary instead of by the Commission itself.

IT WAS felt in many quarters that the bill was a direct result of the Nov. General Elections when Mr. Daniels was acting as campaign manager for Senator Harry A. Cole, whom Mr. Jones defeated.

In the pre - November election manuevers, the Commission ruled that Mr. Daniels must give up his political part-time job or the Commission post. He gave up the Cole campaign managership.

WITH THE resignation of Mr. Daniels, observers feel that the Commission has lost the services of one of Baltimore's brightest young men.

While Mr. Daniels in his letter of resignation made no mention of it, it is believed that the hassle over his salary may have also been a factor in his move.

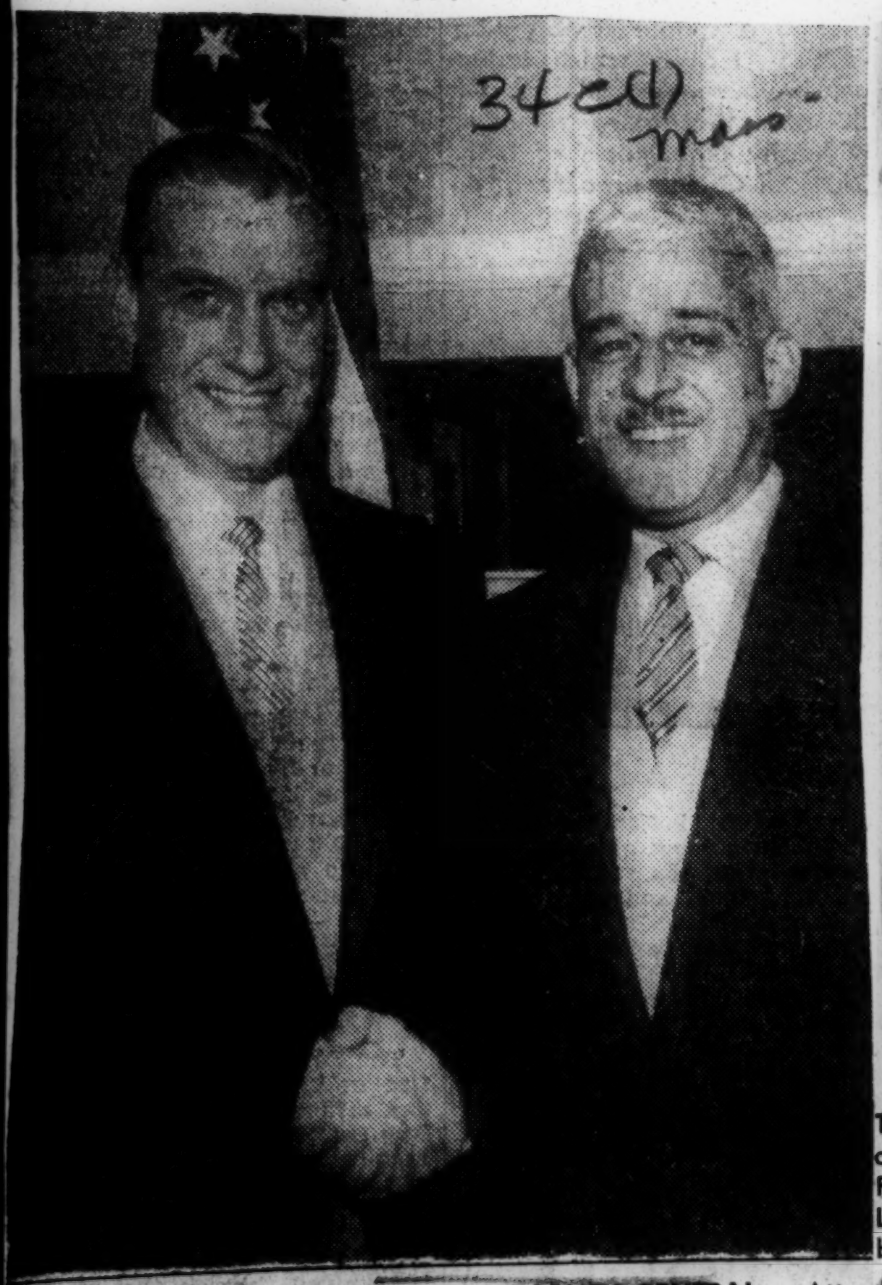
MR. DANIELS who is 36, is a native of Baltimore. He received his education in the local schools and Coppin State Teacher's College. He is a World War II Vet who enlisted as a private and was discharged as a Captain.

He is active in numerous civic groups.

In any event, Samuel T. Daniels is out of the job. It's felt in some quarters that the politicians who were scalping for him have done 'a major disservice' because his removal eliminates a qualified and outstanding young man from public service.

His talents now will be absorbed by a more enlightened private employer. — E.P.

OATH OF OFFICE is administered by Gov. Foster Furcolo to John T. Lane, Roxbury, who was appointed a member of the State Parole Board recently.



NEW MASSACHUSETTS ASSISTANT ATTORNEY GENERAL — Attorney Herbert E. Tucker Jr., of Boston, Mass., former Grand Basileus of Omega Psi Phi Fraternity and active in many civic affairs throughout the country (National Legal Committee NAACP) accepts congratulations from Attorney General Edward J. McCormack, Jr. of the Commonwealth of Massachusetts upon his appointment as an Assistant Attorney General for the Commonwealth. Mr. Tucker as a part of his duties will serve as legal advisor to the Chairman of the State Housing Board and will assist in the newly created Civil Rights Division of the Attorney General's Office.

TO MASSACHUSETTS PARDLE BOARD — Oath of office is administered by Governor Foster Furcolo in the State House ceremony to John T. Lane of Roxbury, center, who was appointed by the chief executive to membership on the State Parole Board. At right is John H. Louden of West Newbury who was sworn in afterward as clerk of the Boston Juvenile Court to replace Mr. Lane.

J. T. Lane named to parole board

BOSTON — John T. Lane, clerk of the Boston Juvenile Court, has been confirmed as a member of the parole board; by a 7-1 vote of the Governor's Council.

Mr. Lane, who has been a clerk of the Juvenile Court for 29 years, replaces Julian Steele of West Newbury, a Republican whose term had expired.

Governor Furcolo said that "without question this appointment will prove to be probably the outstanding appointment in this field in the past five years."

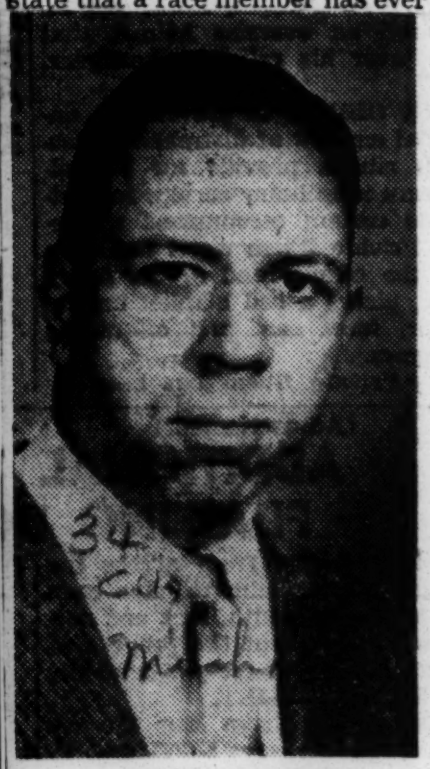
The Council also voted 6-2 to confirm John H. Louden of West Newbury to succeed Lane as Juvenile Court clerk.

Another First for Michigan

Negro Attorney Named State Auditor General!

By CHESTER HIGGINS

DETROIT — A Negro was named Auditor General of the State of Michigan by Governor G. Mennen Williams, marking the first time in the history of the state that a race member has ever been a member of the state's administrative board.



OTIS SMITH
. . . another first

■

• **Appointed to fill that vital spot was Otis Smith, a Flint attorney, who was appointed to the Public Service Commission, July 1, 1957, by Governor Williams.**

Smith, 37, is presently chairman of the Public Service Comsion. He replaces Auditor General Frank Syzmanski, 36, who was appointed a Wayne County Probate Judge by Williams, thus filling a vacancy on the bench left by the death of Judge William Cody.

■

THE FLINT attorney was a surprise choice for auditor general, although for several years Negroes and certain white elements of the Democratic party have strongly advocated the nomination of a Negro for the position at state party conventions.

Atty. Cora Brown, now with the U. S. Postal Service, Washington, D. C., and for years a stormy political figure here as a Democrat, was once considered seriously for the nomination to the post.

Smith, who will formally take office in the recent appointment sometime "about the middle of October," will be a candidate for the position in the 1960 elections.

■

HE IS THE second Negro to hold a statewide elective office in Michigan. Dr. DeWitt T. Burton of Detroit, owner of the Burton Mercy Hospital, was elected a governor of the newly created Wayne State University Board of Governors, after almost unanimous party nomination.

Smith must be nominated, of course, at the party convention next year, but nobody seriously believes he will fail to get the nomination. His appointment, too, must be confirmed by the State Senate. Nobody foresees any difficulty, here, either.

Governor Williams praised Smith as having "demonstrated his ability to do an outstanding job in the position in which he has served the state. I am confident that he will do an equally good job as Auditor General."

■

BORN IN MEMPHIS, Tenn., Smith attended Fisk University, Nashville; Syracuse University, and received a law degree from Catholic University, Washington, D. C., in 1950.

He has been highly active in community affairs in Flint, and is married to the former Mavis C. Livingston of Detroit. They have four sons.

Williams emphasized that Smith did not seek appointment to the post which pays $12,500 a year, $1,000 more than his present position. He said that Smith's name was "first suggested by Thomas Burns," a member of the Public Service Commission.

Smith sworn in as Mich. auditor

LANSING, Mich. — Otis M. Smith, 37, first colored person to reach the cabinet rank in Michigan, was formally sworn in last Wednesday as state auditor general.

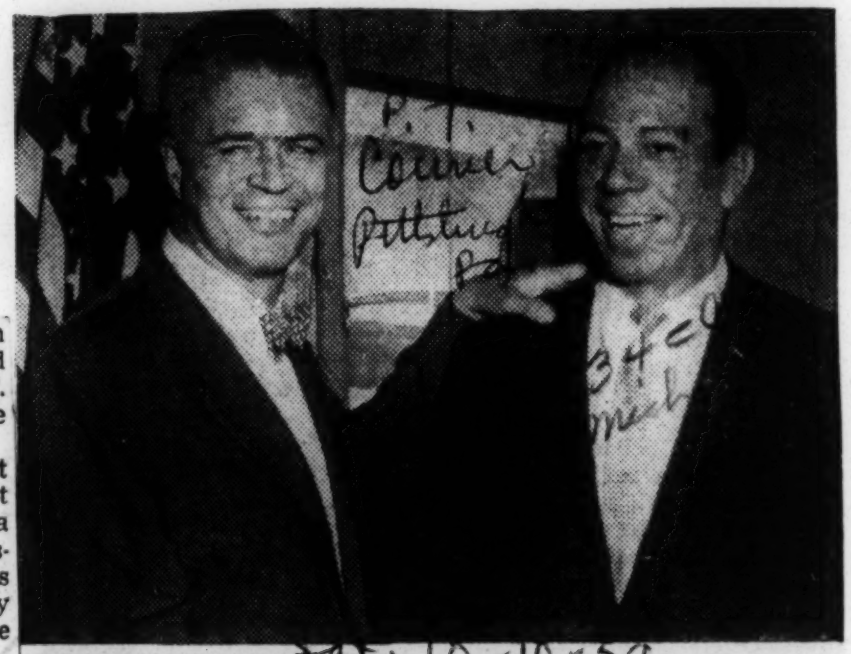
The oath was administered by upreme Court Justice Thomas M. Kavanagh in the office of Gov. Williams, who appointed Smith to fill the vacancy.

Mr. Smith, former chairman of the State Public Service Commission, was named to replace Frank M. Szymanski, who was elevated last month to the Wayne County probate bench.

Leon Wallace gets new Detroit post

DETROIT — Leon M. Wallace, director of a city investigating committee, has been named acting secretary to coordinate the activities of Mayor Louis C. Miriani's special crime committee.

A sub-committee will be formed to act on developing citizens committees at the police precinct level. The committees hope to establish a liaison between the police and the community.



Pleased— Happy over his appointment to the post of Auditor General is 37-year-old Otis Smith, a Flint (Mich.) attorney, who heads the Public Service Commission. Apparently as well pleased over his selection is Gov. G. Mennen Williams, left, shown congratulating Smith, father of four.—Pat Mitchell Photo.

Woman's hotel bill trips councilman

ECORSE, Mich. — Peter J. Johnson, 52, resigned last week as Ecorse city councilman after it was disclosed that the city had paid a $148.69 hotel bill for a 26-year-old married woman he had brought to Detroit from Miami.

Johnson, one of two colored councilmen, was serving his first term.

Johnson's resignation was announced by Prosecutor Olsen. Councilman Johnson appeared with his wife, Carolyn, at Olsen's office.

Olsen said the city had been repaid the amount of the bill.

OLSEN SAID there would be no criminal action against Johnson because he had not presented the bill to the city for payment, that the bill had come directly from the hotel to Ecorse.

Although the resignation is effective immediately, Johnson may return to the council in about three weeks. He is candidate for re-election and would take over the post again about two weeks after the election if he wins.

'RIDICULOUS' SAYS DIGGS

Denies waitress' charge he's dad of her daughter

DETROIT—A 24-year-old waitress, Miss Jacqulyne M. Gibbs of 1676 Pasadena, charges that Cong. Charles C. Diggs Jr. is the father of her five-year-old daughter, Angela.

Commenting briefly, Rep. Diggs said: "The suit is ridiculous. This is all news to me. I have no recollection of this matter." He said he "might" know Miss Gibbs.

The suit, filed in Circuit Court Friday, said Diggs conceived the child on Nov. 12, 1953. Miss Gibbs' attorney, Sander Berstein, charges the child in the paternity suit was conceived following a post-election party.

In Nov., 1953, Diggs, a Democrat, narrowly missed election to the City Common Council. Diggs was elected to the House of Representatives from the 23rd District in Nov. 1954, becoming Michigan's first colored Congressman.

MISS GIBBS refused to discuss the suit. Her attorney said he asked her not to comment on the case until it is brought to trial.

Berstein said Miss Gibbs had never met Diggs before the post-election party. She did see him several times afterward, he said, but did not date Diggs.

The child, who lives with her mother, has visited the Congressman in Washington at his request, Berstein said.

Diggs refused to comment on whether the child had visited him. He said further comment would have to wait until he sees his lawyer.

* * *

BERSTEIN claims the suit was brought to have Diggs named legally as the child's father and to force him to contribute to her support. He said Diggs has never paid support.

The lawyer would not say why the suit was brought now, more than five years after the child's birth.

"That will be part of our case in court," he said.

* * *

THE 36-YEAR-OLD Congressman started divorce actions against his wife, Juanita, 31, last month. The hearing is scheduled in Circuit Court Friday.

Representative Diggs, in Washington during the Congressional session, said Friday he is not sure he will be here for the hearing.

Commenting on the divorce proceedings instituted by her husband, Mrs. Diggs said:

"I know our problems can be worked out. They will have to be. Some times I wonder why, but I still love him."

She added that she would fight the divorce to the highest court to keep the family together.

The couple have three children—Denise, 9, Charles, 11, and Alexis, 8.

* * *

IN THE divorce action filed by the Congressman, he charged cruelty, stating that he finds it "unbearable at home because of her constant nagging and fault-finding."

Mrs. Diggs, however, through her attorney, denied the allegations and charged that the Congressman neglected her and the children for his career.

Represntative Diggs also charged that his wife refuses to accompany him trips and complains because he doesn't give her more money than his "economic status permits."

In answer to this charge Mrs. Diggs noted in her cross action:

"I certainly would move to Washington with the children and accompany him on his many trips around the world. The only trouble is, he doesn't want us in Washington or with him on trips."

SHE FURTHER states that her husband has a lavish apartment in the nation's capital, but has not offered to get a home in Washington for the family.

Although she has begged him to let her participte in his activities, Mrs. Diggs complains that he has failed to do so, stating that the Congressman has "treated me indifferently and ignored me entirely" since developing an interest in politics.

Diggs also charges that his wife objects strenuously because his political activity keeps him away from home for long periods.

To this, Mrs. Diggs answered "I'm not opposed to his political career. I would be for it if he did not sacrifice his family, if he maintained the right attitude and balance.

"I think he is tired of me and wants someone with a greater cultural background."

* * *

THE COUPLE was married on Aug. 2, 1947. They separated, according to the bill filed by Mr. Diggs, in Dec. 1958.

Mrs. Diggs was 19 at the time she met her husband. She was working as a secretary in the enterprises operated by Mr. Diggs' father.

34c(1) 1959 ICHIGAN

'But I Still Love Him'

Explains Rep. Diggs' Wife

CONG. CHARLES DIGGS AND WIFE
He sues for divorce, but she fights back

Fighting to hold family together

By ALBERT WASHINGTON

(Special To The AFRO)

DETROIT — "I know our problems can be worked out. They will have to be. Some love him."

This expression was made by Mrs. Juanita Diggs, wife of Michigan's Congressman Charles F. Diggs Jr.

She was speaking against her husband's divorce action last week and said she would fight to the highest courts to keep her family together.

The Diggses' three children are: Denise, 9; Charles, 11; and Alexis, 8.

Diggs filed a supressed divorce action against his wife in circuit court, charging cruelty.

* * *

IN AN ANSWER filed by her attorney, Robert J. Colombo, Mrs. Diggs denied her husband's charges and said he neglected her and the children for his career.

Both the congressman's bills of complaint and his wife's answer are restrained, but Colombo said:

"It might be necessary before the trial to amend our answer, making it stronger and more specific."

He would not comment further.

"You can't divorce three children," Mrs. Diggs said. "I want my husband back and our home preserved."

* * *

DIGGS' BILL says the couple was married Aug. 2, 1947, and separated last December. He said his political activity keeps him away from home for long periods and that his wife objects strenuously.

He also charges he finds it "unbearable at home because of her constant nagging and fault-finding."

His divorce bill states further that she refused to accompany him on trips and that she complains because he does not give her more money than his "economic status permits." He says he has admonished her not to run up bills but she persists.

Thirty-six year-old Diggs is Michigan's first colored congressman and is now serving his third term from the Thirteenth District. The family home is at 2522 W. Boston Blvd.

* * *

MRS. DIGGS was 19 when she met her husband. she worked as a secretary in the enterprises operated by Diggs and his father.

The progressive Diggs' enterprises comprise a funeral home, real estate, insurance business and a flower shop.

Recently Charles C. Diggs Sr. announced a proposal to build a $2,000,000 business complex for Detroit's proposed medical center.

Mrs. Diggs said: "He can't find his home so terrible as he comes back from Washington almost every weekend. We had a large party at our house last Saturday night, and I drove him to the airport with the children the next day.

"I certainly would move to Washington with the children and accompany him on his many trips around the world. The only trouble is, he doesn't want us in Washington or with him on the trips."

IN HER COURT answer, Mrs. Diggs said that her husband has a lavishly furnished apartment in Washington for himself but has not offered to get a home there for the family.

Her answer further says Diggs Jr. developed his political ambitions three years after they were married and that she begged him to let her participate in his activities, buut he has "treated me indifferently and ignored me entirely."

Mrs. Diggs' formal answer says her husband enjoys a large income in addition to his salary of $22,500 as Congressman and spends great sums on "personal entertainment and enjoyment."

She says he will not provide the necessities for her and the children, although he finances many of his trips from his own income.

* * *

MRS. DIGGS SAID: "But there are trips the government pays for and the expenses of wives are included. I have never been allowed to go. I accompanied him only once, last year to Trinidad for three or four days when my doctor ordered me to rest."

She said he began neglecting his family when he was first elected to the state Senate and then to Congress.

"I'm not opposed to his political career," she declared. "I would be for it if he did not sacrifice his family, if he maintained the right attitude and balance.

"I think he is tired of me and wants someone with a greater cultural background."

* * *

MRS. DIGGS has studied at the University of Detroit and Wayne University. Afterward she took a business course.

Atty. Colombo said Diggs grossed $44,000 last year. But added "we are not interested in a property settlement. We just want to keep this family together."

A Democrat, Rep. Diggs Jr. was elected to Congress from the 13th District in 1954 and was re-elected in 1956 and in committee Monday.

Hans Johnnanes appealed to the UN "well knowing that I might become a victim of intimidation, but being born in a dark skin has done that for me already."

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MICHIGAN

Diggs' Bill Helps Beat Paternity Rap

The Pittsburgh Courier

Pittsburgh Pa.

1953-59

P.C.

34c(1)

DETROIT—Cong. Charles C. Diggs Jr. was excluded as being the father of a waitress' five-year-old daughter on the results of blood tests used in such cases under a law he sponsored while a member of the Michigan Legislature.

Diggs, 36, 13th District Democrat, is accused in a paternity suit in Circuit Court of fathering Angela Gibbs, 5, daughter of Jacquelyn Gibbs, 26, of 1726 Pasadena.

Edward Ferris, chief of the Prosecutor's criminal division, received the report from Dr. Wolf W. Zuelzer of Children's Hospital.

"The results indicated exclude the paternity of the defendant (Diggs) in the case of Angela, the child of Jacquelyn Gibbs," the report said.

Michigan

THE TEST RESULTS will be used as defense evidence in the paternity case, Ferris said.

If the results had failed to exclude Diggs, they could not be used in court, he added.

Miss Gibbs could not be reached for a statement. The Courier tried to contact her at home and through her attorney. She could not be reached at work either.

Her attorney, Sander Bernstein, told The Courier he had not talked to his client when reached by The Courier. He refused to make comment.

When contacted, Diggs said, "The law has been in force since 1954 and I accept the finding of the test as conclusive.

"There is a strong indication that this was a part of an effort to publicly discredit me."

■

HE SAID, HOWEVER, that he could not point a finger at any group or individual who would have reason to discredit him.

Diggs introduced the bill during his last term in the Michigan Legislature which requires blood tests in cases where paternity is denied.

The Congressman has filed for a divorce from his wife, the former Juanita Rosario. When asked if there is a possibility of reconciliation, he said, "There is definitely no change for reconciliation in this case."

Diggs is the father of three children. He has been married 12 years.

CONGRESSMAN DIGGS JR.
. . . "test excludes him"

ANGELA GIBBS, 5
. . . "Congressman excluded from paternity"
—Johnson photo

34c(1) 1959

MICHIGAN

Diggs Urges Better U.S. Attitude Toward Africa

WASHINGTON, D. C. — Congressman Charles C. Diggs, Jr. (D-Michigan) told a Detroit Press Conference that "the United States is in danger of losing the present advantage it holds in Africa to the Soviet Union."

Diggs attended the All African People's Conference in Accra, Ghana, Dec. 5-12, as an observer for the United States Government. He was the only elected American plice official at the historic meeting of independent African nations. Pointing out that many important African leaders, including Ghana's Prime Minister, Kwame Nkrumah, were educated in this country, the Negro Congressman warned that this favorable factor will be forfeited unless the U. S. "takes a more realistic attitude in its relations with African governments."

REFLECTION

He said Americans dealing with African countries reflect both "indifference and a lack of understanding" and emphasized that "our Nation needs to be educated on the tremendous significance of development in Africa."

Diggs sharply criticized the small amount of U. S. economic and cultural aid being directed to African countries. He said that Russia is spending huge sums in giving Africans technical and educational assistance.

The Communists Diggs reminded, are taking full advantage of African concern about the racial problem in America.

He noted however, that Africans seem to be unimpressed by the struggle between East and West and show no indication of using the cold war to bargain for aid.

This attitude, he felt, is substantiated by the Conference's adoption of a firm policy of "positive neutralism."

Commenting on the Conference's aim of creating a United States of Africa, Diggs said that African leaders are aware of the many external and internal problems they must overcome.

"I willingly admit that they will make mistakes, but they will want them to be their own mistakes."

Diggs described an underlying power struggle between Nkrumah and Nasser of Egypt which was dramatized by the unsuccessful attempt of the Pro-Russian United Arab Republic delegation to dominate the Conference.

This subtle tug-of-war, he said, may present a 'threat to Nkrumah's desire for a non-violent African revolution which would employ economic boycotts and similar passive measures.

Revealing that he seeks to be assigned to the House Foreign Affairs Committee when Congress reconvenes in January, Diggs felt that he "could make a contribution to sounder relations between the U. S. and Africa during this critical period."

Negro Wins Judgeship In Michigan

GRAND RAPIDS, Mich. —(ANP) — A Negro assistant prosecuting attorney this week was elected to a judgeship. He is the first Negro in the state elected to a judgeship without previous appointment to the post.

Forty-seven year old John T. Letts who moved here five years ago to become a parole officers for the Michigan State Department of Corrections, won over his opponent, Murray Denn DeGrott, 16,000 to 10,633 in the election Monday.

Letts, who was appointed assistant prosecuting attorney three years ago in Kent County, is a 1951 graduate of Suffolk university, Boston, Mass.

When queried about the racial issue, and asked if race or color was a drawback in the campaign he replied: "I feel that people who take their candidates seriously do not rate a man by his color. I presented what I felt to be the significant issues and my qualification to solve them. It paid off."

His opponent was a 32-year-old man who has lived in Grand Rapids all his life. Letts is a native of Mocosta, a small community in Northern Michigan.

First Negro Elected Judge In Michigan

Grand Rapids, Mich. — An assistant prosecuting attorney from here has become the first Negro in the state ever to be elected to a judgeship without previous appointment to the post.

John T. Letts, 47, who moved here five years ago to become a parole officer for the Michigan State Department of Corrections, won over his opponent, Murray Benn DeGroot, 16,000 to 10,633 in last Monday's election.

Letts, who was appointed assistant prosecuting attorney in Republican Kent County three years ago, is a 1951 law graduate of Suffolk University in Boston. As assistant prosecutor he was attorney in the Municipal Court.

to be the significant issues and my qualifications to solve them. It paid off."

A major theme struck in the campaign by Letts was "A family man for a family court." He linked the home and family with the Grand Rapids Municipal Court in which more than 10,000 cases are filed annually. These are mostly small claims involving bills and debts against the heads of families.

Letts and his wife, Agatha, are the parents of two teen-age sons, both students at Central High School.

His opponent was a 32-year-old bachelor who has lived in Grand Rapids all his life. DeGroot, an attorney, waged an active campaign.

A life-long Republican, Letts is no newcomer to politics. He was chairman of the 1958 Kent County Republican Convention and for the last five years has been a Republican precinct delegate.

However, his support bridged party lines. He had the endorsement of the Kent County AFL-CIO Council, local Democrat and Republican clubs, and many civic, religious and social leaders.

The victor put the personal touch in all his campaigning and relied mainly on coffees in homes through the city of 190,000 population, speeches before churches and youth groups and television appearances. He also depended on the efforts of several hundred white and Negro volunteers who began weeks in advance of the election to ring doorbells and pass out campaign literature.

COLOR ISSUE

Asked whether his color was much of a drawback in the campaign, Letts replied: **"I feel that people who take their candidates seriously do not rate a man by his color. I presented what I felt**

Mississippi Gov. Is Told About March

DETROIT, Mich.—Charles C. Diggs, sr., Detroit, father of Cong. Charles C. Diggs, jr., (D-Mich.), has sent a telegram to Gov. James P. Coleman, governor of Mississippi, informing him of his plan to organize a national march on Mississippi in protest mob violence against Negroes that continues to occur in that state.

Diggs told the Mississippi governor in his message, "It is my intention to make a nation-wide appeal to people of every race, creed and color to converge on Vicksburg, Miss., on Nov. 11, 1959."

He said Armistice day has been selected as the date for this bloodless pilgrimage because it is the solemn holiday on which our nation salutes the young men—both black and white—who died that we might move ahead toward our democratic goal of freedom and equal justice for all men.

"Vicksburg will be the destination of the marchers because it is the site of a major battle of the bloody conflict which brought an end to slavery and produced the mighty union of states that we have today," the telegram read.

The message continued, "I am proud and thankful tha I am an American; and it pains me deeply each time the country I love is shamed and smeared by lynchings, forceful denial of voting rights and other discriminatory measures directed against Negroes."

"As a Negro and a native Mississippian, I have had to suffer the added humiliation of knowing that my home state is most frequently the perpetrator of these inhuman offenses that so severly damage the prestige of our nation and give credence to foul Communist propaganda," Diggs stated in his telegram.

The message further stated, "I found during my recent tour of Africa that the Communists make certain that the mistreatment of American Negroes is thoroughly publicized. It is terribly unfortunate that influential leaders visiting this country have seen these charges substantiated firsthand."

Sr. Diggs Pledges March on Miss.

DETROIT—Plans for the national March on Mississippi to protest mob violence against Negroes in that state will continue, according to Charles C. Diggs Sr., a former state legislator, despite a warning from the Mayor of Vicksburg, Miss., John D. Holland, to stay home and look after racial affairs of Michigan.

Mr. Diggs Sr.

Diggs, a native of Mississippi, sent a lengthy telegram to Mississippi Governor James P. Coleman informing him that he was organizing the march, set for Nov. 11, Veterans Day, to protest Mississippi mob violence which resulted in the recent kidnaping and murder of Mack Charles Parker, 23, of Poplarville, Miss.

He said, in the first telegram, "it is my intention to make a nation-wide appeal to people of every race, creed and color to converge on Vicksburg, Miss. . . . the destination of the marchers, because it is the site of a major battle of the bloody conflict which brought an end to slavery and produced the mighty union of states that we have today.

"It is my confident hope that the march . . . will provide you with a peaceful demonstration of the national concern that will bring about constructive action demanded by these critical times."

■

HOLLAND WAS quoted by the Associated Press as declaring ". . . there have been instances of race riots and other mass violence in Michigan, which would seem in the need of a demonstration of a national concern."

• Diggs, in a telegram answer to Holland, agreed that there had been "such a disturbance in 1943 in Michigan," but stated, "I feel the peaceful demonstration we are planning will discourage bloody battles such as we had in Detroit and unlawful and un-American acts that have been staged in Mississippi recently.

• "Furthermore," he continued, "the demonstration of 1943 in Michigan does not justify similar action in Mississippi . . . public officials like you have a key obligation in helping to strengthen American prestige," he said.

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MISSOURI

Ex-Lincoln Law Prof Assistant Attorney General

ST. LOUIS. — (ANP) — A former professor at the now shuttered Lincoln university school of law this week was appointed an assistant United States attorney. He is the first Negro appointed to the post in this area.

Forty-seven-year-old William C. Martin, a University of Illinois graduate, practiced law in Chicago until 1944 when he joined the faculty of the old Lincoln university school of law. He remained with the school until it closed in 1955. Since that time he has been in private practice here.

The father of four children, Martin is married to a mathematics teacher at Sumner high school. U. S. Attorney Harry Richards announced Martin's appointment Monday.

Former Lincoln Teacher Named U.S. Attorney

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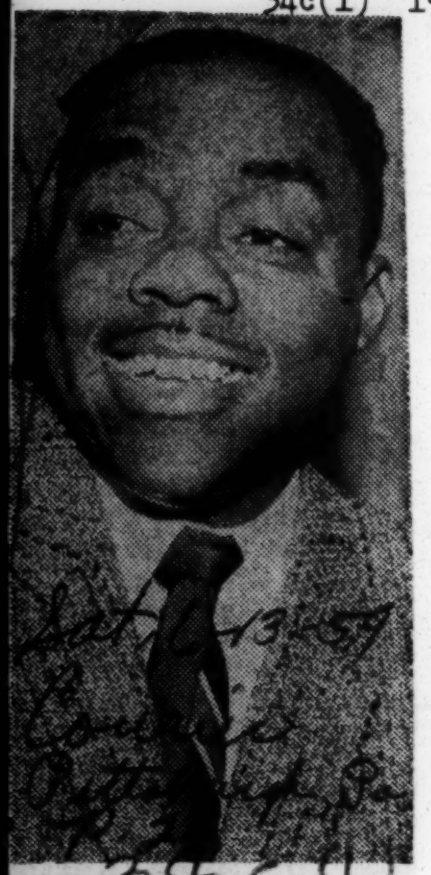


COMMISSIONER! — James Gay, popular Las Vegas sportsman and Pittsburgh Courier correspondent, became the first to become a member of Nevada's official family when he was appointed athletic commissioner of the Silver State.

34c(1) 1959

NEW JERSEY

Given $16,500 Post As N. Y. Labor Deputy

NEW YORK—George H. Fowler was inducted as a $16,500-a year Deputy Industrial Commissioner of the New York State Department of Labor.

Industrial Commissioner Martin P. Catherwood, head of the department, and a number of notables attended the ceremonies in the State Office Building, 80 Centre St.

Among those who spoke briefly in tribute to the new Deputy Commissioner were Judge Francis E. Rivers of the City Court of the City of New York; Joseph F. Finnegan, Washington, D.C., director, Federal Mediation and Conciliation Service; Frank H. Brown, regional director, Region One, Federal Mediation and Conciliation Service; Julius Thomas, acting director, National Urban League; Jacob Sheinkman, general counsel, Amalgamated Clothing Workers; Thomas G. Young, vice president, New York State Federation of Labor, and Horace Sheldon, director, Industrial Relations Department, Commerce and Industry Association of New York.

GEORGE H. FOWLER
. . . in $16,500 labor post

FOR SEVEN YEARS prior to this post, Mr. Fowler served as a commissioner with the Federal Mediation and Conciliation Service, in which capacity he was instrumental in settling hundreds of disputes between labor and management.

Before that, he worked professionally on the staffs of the National Labor Relations Board, the New York State Labor Relations Board and the New York State Board of Mediation.

TRYING TO BEAR UP under great strain of death of her husband, Gilmore J. Chappel, Sr., ex-mayor of Lawnside, N.J., the widow, Mrs. Loretta Chappel (left) leaves the Walter Beckett funeral home in Philadelphia, last Thursday night, following funeral services, with her nine-year-old son, Henry. (right) are members of the family of the deceased who had made their own plans for the funeral, resulting in legal entanglements. The mayor's mother is supported by Miss Lillie Chappel, one of her five daughters. Directly in back, wearing veil, is one of the daughters, Mrs. Lelia Vann, who became distraught during the viewing requiring aid. Photo by Brown's Studio.

34c(1) 1959

NEW YORK

Remove Powell's Tumor as Hazel Wires Prayers

The Pittsburg Courier
Pittsburg, Pa. 34c(1)
Sat. 10-31-59

NEW YORK—A telegram from Hazel Scott, wife of illness-ridden Adam Clayton Powell Jr., told the fiery legislator that she was praying for "victory in every way."

The telegram came from Paris, where Miss Scott, a night club entertainer, has been living with the couple's son, Skipper.

Powell, described by officials at Bethesda Naval Hospital as having "the will of iron," underwent an operation for removal of a tumorous mass at the base of his esophagus. He appeared to be recuperating, satisfactorily, and was expected to remain in the hospital about six weeks.

■

THE TUMOR, meanwhile, is being examined to see if it is benign or malignant. A physician said these tests will take several days.

Mrs. Maxine Dargans, Powell's secretary, said he was in "good spirits and wanting to go back to work," when she visited him at his bedside.

Powell spent two hours in the operating room with a team of physicians, including his personal physician, Dr. Aaron O. Wells.

Prior to leaving for the operation, the minister-congressman told some 3,000 persons at a rally at Abyssinia Baptist Church, that the growth is not in the throat to affect his speech, but at the base of the esophagus, between the stomach and the heart.

■

HE CALLED for continuing campaigns for Harlem Hospital, for more middle-income housing in Harlem, and for more political appointments for Negroes and Puerto Ricans. He warned city officials that "most serious repercussions would follow in the 1960 and 1961 election campaigns if Harlem's needs are ignored."

Before Powell spoke, the Rev. David Licorish predicted that "he will stare death in the face, and come back with greater life to walk these streets of Harlem."

The choir sang Powell's request, "Ain't Got Time to Die."

Wants Negro Made Federal Dist. Judge

Chicago Defender
Chicago, Ill
Sat. 11-28-59

NEW YORK — Adam C. Powell, U. S. Representative from New York's 16th district, urged Governor Nelson Rockefeller to "demand from the Republican administration" the appointment of a Negro as federal district judge of the state's southern district.

In seeking the appointment of Judge Samuel Pierce to the federal court, Powell charged that the federal judicial system "reeks with jim-crowism in terms of appointments." He pointed out that not one Negro or Puerto Rican has been appointed, in the history of the Department of Justice, as a federal district judge in the U.S.

Powell said it is significant that in the last election, Judge Pierce failed election to the Court of General Sessions running throughout the entire New York County by only 14,000 votes.

The Representative suggested that should the Governor fail to secure the desired appointment, he could name Pierce to a judicial position being vacated by the retirement of New York's Judge Schurman.

Negro Becomes Associate School Superintendent

The New York Times

From left at ceremony in City Hall are Mayor Wagner; Mr. and Mrs. John B. King and their daughters, Mrs. Lynne Kennard and Mrs. Joan Norris, and Dr. John J. Theobald, the Superintendent of Schools. The children are John Kennard, left, and Keith Norris.

John B. King was sworn in yesterday as Associate Superintendent of Schools, making him the first Negro to attain that rank here.

The 50-year-old educator took the oath of office from Mayor Wagner in a City Hall ceremony attended by his family and firends and Board of Education officials.

Mr. King succeeds the late William A. Hamm, who was in charge of the child welfare division of the school system. The post pays $19,750 a year. The Associate Superintendents' rank is next to that of Superintendent, the highest professional poistion in the system, which is held by Dr. John J. Theobald.

Mr. Kink has been an assistant superintendent for the last eight years and has been a teacher and administrator in the public school system for thirty-one years.

He lives at 1414 East Forty-ninth Street, Brooklyn. His term as Associate Superintendent will run for six years.

Mr. King holds the Bachelor of Science and Master of Arts degrees from New York University. He has completed most of his courses toward the Doctor of Philosophy degree.

Powell's Tax Trial Slated for Jan. 7

The New York Times

Adam Clayton Powell Jr.

The oft-postponed trial of Representative Adam Clayton Powell Jr. on income-tax evasion charges was set down yesterday by Federal Judge Edmund L. Palmieri for Jan. 7.

The 50-year-old Harlem Democrat had been scheduled to stand trial Oct. 3. But the case was adjourned because Mr. Powell entered Bethesda Naval Hospital in late September for a possible hernia operation which was never performed.

While he was in the hospital, it was discovered that he had a growth on his esophogus. At the end of October he underwent a chest operation, and a non-malignant cyst was removed.

Morton S. Robson, chief assistant United States attorney, said that the naval hospital surgeons had suggested that Mr. Powell go South for a month to recuperate. Mr. Robson and Edward Bennett Williams, the Congressman's lawyer, agreed that the case should be tried starting Jan. 7.

Trial For Powell

When a New York federal court sentenced Adam Clayton Powell's congressional secretary to jail for income tax evasion, Powell took to the radio to call it "the rawest deal anyone ever got."

If that was Powell's standard reaction to income tax charges and convictions of his staff, he must have had several emotional outbursts. In the period of a few months, two of Powell's aides were convicted of income tax evasion, a third pleaded guilty, a fourth was indicted and Powell, accused of falsifying his wife's tax returns and of evading $3,000 in taxes, eventually made five.

But whereas the aides were indicted and tried, the district attorney was notably averse to prosecuting the Harlem-powerful Powell. Finally, an incensed grand jury overrode the reluctant D.A. and returned an indictment of Powell on its own initiative.

That was a year and a half ago. The trial has now, at last, been set for January, when Powell presumably will be brought to court, though as we wrote 18 months ago, "in view of the odd indifference of the district attorney, this is not a sure bet."

New York's Political Burden

NEW YORK'S thorn in the flesh is the preacher-politician Adam Clayton Powell, drinking companion of James Folsom, former governor of Alabama who entertained the New York Negro leader with a high-ball party at the executive mansion.

Powell's political power in New York has become enormous. It is such as to keep both the Republicans and Democrats on pins and needles. Powell gets elected to Congress whether he runs as a Republican, as a Democrat or as a defiant independent affiliated with neither party.

Candidates for state office in New York have to court the man who carries thousands of Negro votes in his hip pocket. Candidates for President are afraid to make a move in New York that will offend Powell and the crowd he leads. Candidates of both political parties know that Powell has a balance of power in politics seldom before attained by any politician let alone a political preacher serving the largest Negro church in New York.

It is not a pleasant position for New York to occupy. The race issue in New York has become the greatest disturber in modern history. Crime has never before been so rampant and most crimes in New York today are based upon race conflicts, jealousies and ambitions. Powell is a political leader, but he seems unable or unwilling to lead his followers into paths of righteousness.

New York and the nation are learning what it means to have a Negro leader become the balance of power in politics. His group is a minority group except in such centers as Harlem, but when voted as a bloc such minority has the power to determine the result of elections. Perhaps New York is willing to tolerate that condition, or maybe New York sees no way out of it. But New Yorkers are at least learning to have some sympathy with those who face the possibility of minority rule in other states.

Powell is the kind of figure that ought not to be permitted to attain such power. New York do-gooders and the NAACP which insist that every Negro in the nation should be given a vote, can hardly attain that aim so long as the people have Adam Clayton Powell as an example of what such power means.

Powell And The South

The Anniston Star

WE CAN be sure that praise for the South was not his intention when Negro Congressman Adam Clayton Powell wrote in the latest *Esquire* magazine:

"More and more I'm coming to realize that the Northern liberal is increasingly hypocritical and the Southern liberal is increasingly honest."

He used "Northern liberal" and "Southern liberal" probably with the idea of lauding a few in the South's lunatic fringe. Yet in his comment there's substantial concurrence with what we've been contending all along —namely, that race relations are characterized by honesty in the South, by hypocrisy in the North.

Powell goes on to say that "Negroes know this," and that he has "great hopes for something daring to happen in the South." By this he probably means racial mixing in fact as opposed to the lip service paid to it in regions other than ours.

But what the preacher-lawmaker seemingly is unable to comprehend is that the South's demonstrably sound formula for racial good will is made up of equal parts of honesty and segregation where the "separate but equal" doctrine serves the best interests of both races.

Take away either part of the formula, and it is destroyed.

Pierce Drive Hints 1961 Fusion Effort

By RICHARD J. ROTH,
World-Telegram Staff Writer.

Francis W. H. Adams has whipped together a "nonpartisan" citizens committee in support of General Sessions Judge Samuel R. Pierce Jr. that could easily serve as the nucleus of an anti-Tammany fusion movement in 1961, the World-Telegram learned today.

Nine prominent New Yorkers have joined with the former police commissioner in sponsoring the independent committee designed to elect the Negro Republican to a full term on the high criminal bench by defeating James E. Mulcahy, one of the Democratic candidates.

Active in Final Week.

The committee has set up headquarters at the Belmont Plaza Hotel and will begin public operations for the final week of the campaign. Lending their names and prestige to the Adams committee are:

Adolf A. Berle Jr., honorary chairman of the Liberal party, which has indorsed the GOP jurist; Bruce Bromley, former Court of Appeals judge, who heads the dormant Republican citywide advisory committee; Mrs. George Frankenthaler, wife of the former GOP surrogate; Lloyd K. Garrison, a sponsor, along with Mr. Adams, of the Lehman-Roosevelt-Finletter Committee for Democratic Voters.

Also Prof. Paul R. Hays, acting chairman of the Liberal party; Prof. William H. Kilpatrick; Mrs. Marie LaGuardia, widow of the former Fusion Mayor; Benjamin F. McLaurin, a vice chairman of the Liberal party and Negro labor leader, and Newbold Morris, Republican-Liberal-Fusion candidate for Mayor a decade ago.

Letter To Go Out.

Part of the committee's campaign will include a letter to be distributed later this week

JUDGE PIERCE.

urging the election of Judge Pierce.

While committee sources said the group had no plans beyond this year's election, it was conceded that success would project the committee as a rallying point for anti-Tammany forces in the 1961 mayoralty campaign. Mr. Adams has been mentioned as the Democrat best able to get Fusion backing.

New York Elects 2nd Negro Judge

Atlanta Daily World

Atlanta Ga.

NEW YORK — (ANP) — Polling the highest number of votes of any candidate on the Democratic party ticket last Tuesday's election, Justice Darwin W. Telesford Wednesday expressed his appreciation to the voters in New York county who gave him 182,500 votes, a plurality of over 78,000 over his closest rival.

"I am very thankful to the voters throughout the county for giving me such a tremendous vote," Justice Telesford declared.

JOINS JUSTICE RIVERS

One of two Democratic candidates for the countywide City court, Justice Telesford easily won election for the $25,000 -a-year-Manhattan judicial post, which carries a 14-year-term. He joins Justice Francis Rivers, a Republican, as the only Negro judges on the nine-member New York County City Court.

A municipal court justice in Harlem's 10th municipal district, Justice Telesford moves up to the City court on Jan. 1, 1960, as a result of his overwhelming sweep in the recent balloting.

Given the highest endorsements by the city's leading bar associations, Justice Telesford is considered one of New York's most prominent jurist and has had wide experience in government and legal positions.

DISTINGUISHER CAREER

Prior to his elevation to the bench where he established a distinguished record, he held important positions as the first Negro secretary to a supreme court justice; assistant state attorney general; commissioner, New York City Civil Service commission; and research counsel, New York senate.

The 58-year-old jurist resides with his wife, Mrs. Ruby Telesford, on Edgecombe Ave.

Adam Clay Powell Deserves To Be Tried

The Chattanooga Times

ON OCT. 12, 1956, nine days after his return from a three-month European trip New York Congressman Adam Clayton Powell, following a White House conference, announced the support of the Republican national ticket. He said later that he might leave the Democratic Party, though this seems not to have happened.

On Dec. 6 of that year a federal grand jury broadened its probe of several weeks, news reports stating that it was seeking evidence of possible salary kickbacks and payroll padding as well as tax evasion, and adding that Rep. Powell and his wife might be called.

Sixteen months later the grand jury in an unusual action threatened to become a "runaway" body because, it said, of the government's presentation of the case. A former assistant U.S. attorney, T. A. Bolan, reported Washington wanted the case dropped.

Three days later, on April 26, 1958, the jury expressed anger at a Justice Department order transferring the case to the Treasury Department.

Thirteen months ago this week, Rep. Powell was indicted on a charge he evaded $1,663 in income taxes in 1952, and that he aided in preparing and filing a fraudulent return for his wife the year before.

Shortly afterward, former assistant U.S. Attorney Perotta asserted he was blocked from reopening the case by the Justice Department on grounds the case was a hot potato." United States Atty. Gen. William Rogers denied he had ordered the case dropped or transferred to Treasury.

Since then, Rep. Powell was dropped by Tammany as the Democratic candidate, ran for reelection on a Democratic stand and, last November, was overwhelmingly reelected.

He has yet to come to trial.

Needless to say, Adam Clayton Powell deserves to be either acquitted or convicted. The public has a right to know whether all this delay can be at all justified in the light of the long history of the case.

Patterson tells Powell to mind own business

BY FRED TAYLOR
News staff writer

MONTGOMERY, Ala., June 30—Gov. John Patterson today lashed back sharply at New York Negro Congressman Adam Clayton Powell for assailing the governor's endorsement of U. S. Sen. John Kennedy of Massachusetts for president.

"I thought that Negro was a Republican," said Gov. Patterson. "What's he got to do with the Democratic Party?"

The Alabama chief executive made the comment after reading a report from James Free, Birmingham News Washington correspondent, that Rep. Powell had attacked his backing of Sen. Kennedy for the Democratic presidential nomination.

THE NEW YORK NEGRO blasted Gov. Patterson and Sam Engelhardt, chairman of Alabama's State Democratic Executive Committee and Patterson's state highway director, as "arch enemies of the Negro, the NAACP and the U. S. Supreme Court."

Powell also asserted that Patterson and Engelhardt "are leaders in the fight to deny Negroes the right to vote."

The Negro congressman called on all delegates to the 1960 Democratic National Convention to repudiate efforts of Sen. Kennedy to win the presidential nomination.

And he "demanded" that Democratic delegates from New York state oppose Kennedy.

Powell Hits At De Sapio On Judgeship

Demands a Negro For General Sessions

By Tom O'Hara

Rep. Adam Clayton Powell jr., Congressman from Harlem's 16th District, issued yesterday an ultimatum to Carmine G. De Sapio, New York County Democratic leader, calling on Mr. De Sapio to replace one of two judicial candidates with a Negro or face reprisals in Harlem.

First noting that many Negro members of the Democratic party are now sitting in all courts—many of them on Mr. De Sapio's original recommendations—Mr. De Sapio said in a statement last night:

"So long as I am leader of the Democratic party in New York County racial origin will not determine or in any way influence our party's nominees for judicial office.

"By the same token so long as I am leader of the Democratic party in New York County no deserving and qualified candidate will fail to attain such office because of his racial origin."

Is Second Protest

On Monday the Tammy executive committee selected City Court Justice James E. Mulcahy and Justice Joseph A. Sarafite of Special Sessions as party designees for Judges of General Sessions. They will be nominated at the Sept. 15 primary. While there was some dissent on Justice Mulcahy within the committee, the major attack on Justice Mulcahy came at once on Monday from the New York Committee for Democratic Voters, an anti-De Sapio organization.

The Powell statement, making several charges, called on Mr. De Sapio to change the designation by replacing one of the two men with a "qualified Negro candidate" and give the Congressman an "answer prior to Friday."

He said that Mr. De Sapio "promised me personally in front of witnesses several times that he would name a Negro as General Sessions Judge. I demand that he keep this promise."

Mr. Powell said that the naming of a Negro to City Court would not be sufficient to placate him as Mr. De Sapio allegedly also promised that a Negro would go to that court, a civil court which pays less salary, in addition to the General Sessions post. City Court pays $25,000-a-year and General Sessions $34,500.

10,000 Pray for Congressman

'Only God Knows,' Adam Tells His Weeping Flock

The Pittsburg Courier
Pittsburg, Pa.
Feb 10 1958
3-4 col

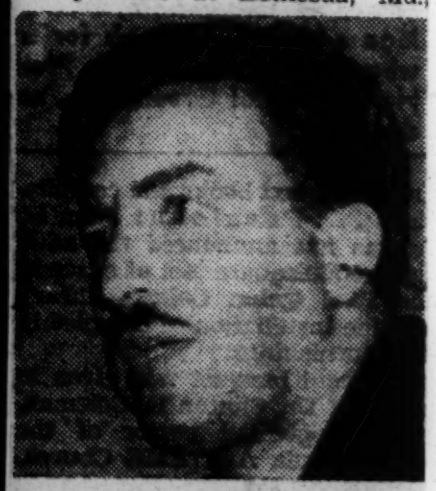
NEW YORK — Only the emotional sobs of well-wishers broke the ominous silence of an estimated 10,000 loyal followers of Congressman Adam Clayton Powell Jr. as the fiery civil rights fighter told them he expects to be away "for quite a little while."

Powell, as dramatic in illness as he was in good health, spoke of his scheduled operation in a joint mass rally and prayer for his health at his Church, Abyssinian Baptist.

Sporadic weeping could be heard among the congregation as Rev. Mr. Powell told his supporters that he expects to have a "tough operation." Still handsome and striking in appearance, he, nonetheless, was thinner, but smiling and spirited as he said:

● "The doctors say it is a tumor in the left side of the esophagus, next to the left lung. Whether the tumor is benign or malignant, all is in God's hands, now."

Physicians at Bethesda, Md., Naval Hospital, who ordered Rev. Mr. Powell to undergo "urgent" surgery after a few days off to wind up his business affairs in New York before returning for the operation, had no comment to make.



ADAM C. POWELL JR.

THE ENTIRE block on the 138th St. side, from Seventh Ave. to Lenox Ave., was blocked off for the rally. Standees, tense and sympathetic, lined the sidewalks in front of the church.

● In the church, pained feelings were evident as Rev. Mr. Powell discussed the illness which had led to an indefinite postponement of his income tax evasion trial.

It is expected that it will take two or three months to recuperate, following the operation.

The strongest fear among many of his followers was the possibility that the surgery might have a hampering effect on the booming voice that made Rev. Mr. Powell such a formidable speaker for civil rights.

New Ghana Center In New York

34 c(1)
NY

HULAN JACK, president of the Borough of Manhattan, speaks at ceremonies opening the new Ghana Information and Trade Center at 605 Fifth Avenue, New York. Also in photo are John Arthur, parliamentary secretary to the Ghana Ministry of Information and Broadcasting; Ernest Asihene, cultural affairs officer, Ghana embassy; and Ambassador Daniel A. Chapman of Ghana.

Dumpson heads dept. with budget over $300,000,000

BY ALVIN E. WHITE

NEW YORK—When James R. Dumpson takes over as Commissioner of the Department of Welfare in New York City after August 21, another victory will be chalked up to colored civil servants.

Not only did Mayor Wagner make an excellant choice, he also gives the department a competent administrator. Dumpson has literally come up through the ranks, although he has held administrative posts since he first joined the Department.

As Commissioner of Welfare, Dumpson will handle administration of a budget of federal, state and municipal funds totaling $300,000,000.

The funds will be expended for the benifit of the 336,000 persons of all sexes, ages, races and creeds who receive public assistance.

* * *

FOR THE PAST year and a half, Dumpson has been Deputy Commissioner.

In his new position, Dumpson's salary will be $22,500 a year. This is a raise of $7,000 over his former $15,000 salary as Deputy Commissioner.

The new Commissioner is a product of Penn State College. Prior to coming to the Department of Welfare, he held many positions.

Among them were: consultant to the Child Care Planning Board of the Federation of Protestant Welfare Agencies; United Nations adviser and chief of social work training to the government of Pakistan.

He is also a part time member of the faculty of New York University's Graduate School of Public Administration and Social Service.

* * *

DUMPSON, who is married, resides in the new housing development at 792 Columbia Ave. This is one of the modern mid-town private developments.

He is a stickler for detail, and is known as the little dynamo because of his size and tremendous capacity for work. He is a practical social worker, with an eye to the expenditures of his department.

Recently when the Department of Welfare was under fire in a local daily expose of [illegible] it was Dumpson [illegible] the record straight.

He pointed out the extremely low percentage of chiselers compared with the total 336,000 persons who are on the rolls.

To handle the multiple duties of the department, Dumpson heads a small army of 8,000 persons. This army represents a real cross section of New York's metropolitan population.

* * *

Many colored social workers are included among the professional workers. Many hold high administrative posts and are responsible for the entire areas of the city.

Hundreds of colored girls are clerks, stenographers, office workers, and receptionists in this field, which has seen its greatest growth and development in the past twenty-five years.

As Commissioner of Welfare for the City of New York, Mr. Dumpson will be an important figure in the annual meetings of the organized social workers.

* * *

IN TAKING over the office, Dumpson says he plans no changes. He intends following the pattern of his predecessor. This is understandable since he formulated many of the practices now in force in the department.

Following the criticism leveled at Mayor Wagner for failing to appoint a colored candidate to succeed Deputy Police Commissioner Robert Mangrum, the Mayor has made an appointment that the entire city in agreement with.

JAMES R. DUMPSON

JOHN B. KING

City to Name Negro Head Of Welfare First in Nation In Similar Post

By John Molleson

Mayor Wagner said yesterday he will name James R. Dumpson, a Negro, Welfare Commissioner of New York City.

The Mayor announced the resignation of Welfare Commissioner Henry L. McCarthy, who will leave the city service on Aug. 21 to become executive director of the Community Council of Greater New York.

Mr. McCarthy, who completed his ninth year with the Welfare Department on May 1, will succeed J. Donald Kingsley as director of the council, an organization of welfare and philanthropic groups. Mr. Kingsley will resign on Aug. 1 to accept a position with the overseas division of the Ford Foundation.

Associated Press wirephoto

James R. Dumpson, to be Commissioner of Welfare.

Herald Tribune—UPI

Henry L. McCarthy, who resigned welfare post yesterday.

"Very Gratified

Reached by telephone in Mystic, Conn., Mr. Dumpson said he was "a little frightened, and very gratified" at the news. He was also "surprised." He had known of Commissioner McCarthy's plan to resign, but did not not know who would be appointed to succed him.

Mr. Dumpson, who has been deputy commissioner for a year and a half, said he will be the first Negro Welfare Commissioner in the United States. He is not the first Negro commissioner in New York's history. That distinction apparently belongs to Arthur G. Ford, former Commissioner of Water Supply, Gas and Electricity, now president of the Board of Water Supply.

"As far as my philosophy of welfare is concerned, I will follow the concept of Commissioner McCarthy," Mr. Dumpson said. He expressed the concept in two sentences: "It is the individual's responsibility, first, to take care of himself. It is the community's responsibility to assist a person when resources are not available to him."

Feels Qualified

Mr. Dumpson, whose academic training was almost exclusively in social work, considers that he is well qualified in training and experience for his new post. He hoped that he also has the "leadership and vision of a kind needed for this position in New York City."

He has been director of the Bureau of Child Welfare since 1955. He was former executive director of the New York City Commission for the Care of Foster Children, consultant to the Child Care Planning Board of the Federation of Protestant Welfare Agencies, and United Nations adviser and chief of social work training to the government of Pakistan.

Mr. Dumpson, who is married and lives at 792 Columbus Ave., is a part-time member of the faculty of New York University's Graduate School of Public Administration and Social Service. He left the city on Thursday to go to Mystic, and intends to return to his desk at 250 Church St. today.

McCarthy Praised

Mayor Wagner praised Commissioner McCarthy's "outstanding job" with the Welfare Department and said the Community Council was "fortunate in obtaining the services of a devoted public servant who will bring integrity and ability to his new post."

Mr. Dumpson's salary as commissioner will be $22,500 a year; as deputy commissioner, it was $15,000. As executive director of the council, Mr. McCarthy will be paid $30,000 a year. Mr. Kingsley's salary with the Ford Foundation has not been disclosed.

34c(1) 1959

NEW YORK

Promoted by Teachers

Samuel Riley Pierce Jr.

Man in the News

PEDAGOGUES have provided stepping stones for Samuel Riley Pierce Jr., in his progress toward General Sessions, New York County's highest criminal court.

First, during the Nineteen Forties, it was Dr. Robert E. Cushman, then Professor of Government at Cornell University, whose brilliant lectures inspired young Pierce to a deeper study of constitutional law. Later, after four years (1949-53) as an assistant to District Attorney Frank S. Hogan and two years (1953-55) as an assistant United States Attorney for the Southern District of New York, Mr. Pierce heeded the urging of another Cornell professor and went to Washington.

This professor was Arthur Larson, who had just been appointed Under Secretary of Labor and who wanted Mr. Pierce as his assistant. Mr. Pierce was the first Negro to be appointed to that post.

A Crucial Point

A crucial turning point for Mr. Pierce came in 1956. Kenneth B. Keating, then the ranking Republican member of the House Judiciary Committee, was seeking a bright, young lawyer for the post of counsel to the antitrust subcommittee.

Representative Keating asked Dr. Arthur E. Sutherland, Bussey Professor of Law at Harvard University, to recommend someone. Mr. Sutherland's choice was Mr. Pierce, who had been one of his students at Cornell.

Thus began a close friendship between Mr. Keating and Mr. Pierce. When Representative Keating ran for Senator in 1958 Mr. Pierce became his campaign treasurer.

Both Mr. Keating and the Republican candidate for Governor, Nelson A. Rockefeller, consulted Mr. Pierce on minority issues, especially those affecting the Negro vote. Mr. Rockefeller was impressed.

None of this would have happened had not Mr. Pierce been such a standout at Cornell. He was the sort of student teachers remember: brilliant both in studies and in sport.

He made Phi Beta Kappa in his junior year. He was star halfback on the Big Red team of 1941, leading the team in scoring, despite a pulled tendon suffered in a game against Colgate.

The war interrupted his studies. He served three years in North Africa and Italy and was the only Negro member of the Army's Criminal Investigation Division in the Mediterranean Theatre.

Inherited Republicanism

After the war Mr. Pierce returned to Cornell and received his A. B. degree in 1947. He then entered Cornell Law School, where he first displayed an interest in politics by joining a Republican student group.

He recalled later that his Republicanism was largely inherited; he was brought up in the thoroughly Republican town of Glen Cove, L. I.

As an Assistant District Attorney of New York County, Mr. Pierce got much experience as a trial lawyer, meanwhile taking courses in tax law at New York University. Later he did a lot of tax trial work as an assistant United States Attorney for the Southern District of New York.

In recent years Mr. Pierce has been engaged in private law practice with the firm of Shadlen & Lane.

Mr. Pierce is six feet one and one-half inches tall and weighs about 200 pounds.

Mr. Pierce married Barbara Penn Wright in 1948. They have one child, Virginia, 9 years old. Mrs. Pierce is a physician, specializing in internal medicine. They live at 2225 Fifth Avenue.

The New York Times

Phi Beta Kappa and a football star.

$34,000 Judge—

Samuel Riley Pierce Jr., former Cornell University football star and Phi Beta Kappa student, has been appointed judge of General Sessions Court in New York City. His yearly salary is $34,000. — Story on Page 2.

PIERCE APPOINTED AS A JUDGE HERE

Rockefeller Names Negro to General Sessions

ALBANY, Jan. 15 — Samuel R. Pierce, a 36-year-old Negro lawyer and former Cornell football star, was given a temporary appointment by Governor Rockefeller today as a General Sessions judge in New York County. His salary will be $34,000 a year.

Mr. Pierce, a Republican, will take the place of Judge George M. Carney who became a Supreme Court Justice on New Year's Day.

His appointment runs until next Dec. 31. A successor to Judge Carney for a full fourteen-year term is to be chosen at the general election next fall. Governor Rockefeller sent Mr. Pierce's nomination to the Senate today for confirmation.

Except for a disagreement between former Gov. Averell Harriman and Carmine G. De Sapio, leader of Tammany, Judge Carney's place might have been filled by a Democrat.

The former Governor wanted to appoint his counsel to the vacancy. Mr. De Sapio wanted Thomas E. Rohan, chairman of the State Liquor Authority, named.

As a consequence of the row Judge Carney withheld his resignation until Mr. Harriman left office. This automatically transferred the privilege of making the appointment from Mr. Harriman to Mr. Rockefeller.

Mr. Pierce, who has been in private practice since 1957, returned last month from a business trip to Europe and Africa during which he attended the All-African People's Conference at Accra, Ghana.

Since his graduation from Cornell College and Cornell Law School, Mr. Pierce has held several public positions. His sponsors for his present office included Senator Kenneth B. Keating, former Senator Irving M. Ives, Secretary of Labor James P. Mitchell and United States Circuit Court Judge J. Edward Lumbard.

For several years Mr. Pierce was a member of the board of governors of the New York Young Republican Club. More recently he served as vice president of the regular Republican Club for the Twelfth Assembly District South.

Negro Named Judge Of General Sessions

Rockefeller Puts Pierce in Post

By Tom O'Hara

Samuel R. Pierce jr., thirty-six, a former Federal and New York County assistant prosecutor, was appointed yesterday by Gov. Rockefeller as a judge of General Sessions. He is the first Negro Republican to be named to the criminal bench, a post paying $34,500 a year.

Mr. Pierce was at a loss to explain at his law office here at 574 Fifth Ave. how he came to be selected. A candidate for such high judicial office usually comes "recommended" by political leaders, but this was not so in Mr. Pierce's case.

Aided Keating

During the gubernatorial campaign, he said, he worked as campaign treasurer for Kenneth B. Keating, of Rochester, who won the race for United States Senator and, as such, did meet on occasion with Gov. Rockefeller. But he was not recommended for his new post by Mr. Keating, by Bernard Newman, New York County Republican chairman, nor by Harold Burton, Republican leader of Harlem's 12th Assembly District, he said.

On hearing of the formal announcement from Albany, Mr. Pierce said:

"I am deeply grateful to Gov. Rockefeller and I will do my utmost to live up to all his expectations."

Judge-designate Pierce must run for election in November for the ful fourteen-year term. His appointment which runs out on Dec. 31 next, is to fill the vacancy caused by the election last November of George M. Carney, then on the criminal bench, as a Supreme Court Justice.

Democratic Row

An intra-party fight developed over the filling of the Carney vacancy between the outgoing Gov. Harriman and Carmine G. De Sapio, New York County Democratic chairman. Had Justice-elect Carney quit as a General Session Judge before last Jan. 1, Gov. Harriman could have named a Democrat.

But Mr. Harriman wanted Mr. De Sapio to name Daniel Gutman, the Governor's personal counsel. At this, Mr. De Sapio rebelled. Mr. Gutman originally came from Brooklyn when he was named counsel, then moved to and voted in Albany County and set up a hasty residence in Manhattan only after the Nov. 4 election.

Thus Mr. Pierce is the beneficiary of that dispute. It is ordinarily most difficult for a Republican, running without a second party indorsement, such as by the Liberal party, to win a county-wide office.

Mr. Pierce is the husband of Dr. Barbara Penn Wright Pierce. She is the daughter of the late Dr. Louis T. Wright, noted surgeon of Harlem Hospital, and is a physician specializing in internal medicine. The couple have a daughter, Victoria Pierce, aged nine, and live at 2225 Fifth Ave.

Played Football

In 1941, Mr. Pierce was named as a potential All-America right half-back at

Cornell University, where he was Phi Beta Kappa and took his law degree. In World War II he was in Europe in the Army's Criminal Investigation Division and has served as an assistant United States prosecutor and as an assistant under District Attorney Frank S. Hogan. In December he was at the All-Africa People's Conference held at Ghana and earlier had served as an adviser for the Department of Labor with Under-Secretary Arthur Larsen.

Two Negroes, both Democrats, have preceded Mr. Pierce on General Sessions. They are Harold A. Stevens, now an Appellate Division Justice, and Judge Thomas Dickens, still sitting.

Herald Tribune—Kavallines

NAMED TO BENCH—Samuel R. Pierce jr.

Rockefeller Puts Pierce on Bench

Special to World-Telegram and Sun.

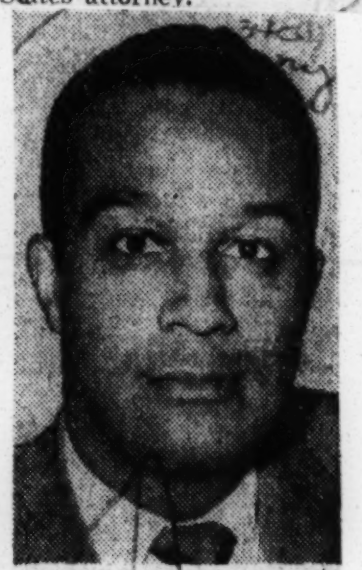
ALBANY, Jan. 16.—A dispute among top-echelon Democrats has resulted in the appointment of Samuel R. Pierce, 36-year-old Republican, to a one-year interim term on the Court of General Sessions.

Gov. Nelson A. Rockefeller announced the appointment yesterday. Mr. Pierce, a Negro, fills a vacancy left when Judge George M. Carney resigned to become a Supreme Court justice. The post pays $34,500 a year.

The vacancy could have been filled by the Democrats had they been able to agree on a nominee. Gov. Averell Harriman wanted to name his counsel, Daniel Gutman, to the post. But Tammany leader Carmine G. De Sapio disagreed.

As a result, Judge Carney delayed his resignation until Jan. 1, which gave the vacancy to Republican Gov. Rockefeller to fill.

Mr. Pierce is the first Negro Republican ever named to the criminal court bench. He is a former assistant district attorney in New York County and a former assistant United States attorney.



AP Photo.

SAMUEL R. PIERCE.

They're still after Powell

AN EDITORIAL

We are as much opposed to malfeasance in public office as anybody else, but we think the recent attack by the Scripps-Howard papers on Congressman Adam Clayton Powell in the series exposing congressional nepotism went far afield. In this case, we think it has become more a smear than an expose.

When the nepotism series started it dealt with those representatives who packed their payrolls with relatives, wives and in-laws, including teen-agers and those who charged the government rent for the use of their own garages and front porches.

This opened the eyes of the voters as to how their money was being spent and opened the eyes of the people back home as to how the men they elected to protect their interests were turning their posts into a family gravy train.

According to the bill of particulars presented against Powell, we fail to see where he falls into any of these categories. He is charged with employing the wife and husband, respectively, of two former employees who were convicted of income tax irregularities. There is no evidence that they are in any way related to Powell or that they are incapable of performing the duties to which they are assigned.

Assuming that one of the purposes for maintaining offices back home is to enable a congressman to render service to his constituents, and thereby have a reasonable chance of getting re-elected, we also assume that the congressman himself should be the best judge of who can best perform this service on his behalf. Personal loyalty must have a high rating in making this choice, especially in a District where one is faced with the entrenched power and prestige of Tammany Hall which is aligned against him.

We do not know exactly what the capabilities of Powell's aides are for what they are actually worth in dollars and cents, but the fact that he was able to win re-election over the forces and factions with a whooping majority, apparently without his aides' assistance, indicates that they must have done something to keep the voters of Harlem reasonably content.

If there is corruption going on in government, we hope the probe will continue until Congress works out safeguards which will make these offenses impractical. We heartily endorse any program which will eliminate chiselers, but we oppose the business of using an unfortunate circumstance to smear one's political enemies and protect one's friends.

Just for the record we might also point out that this system has been in force for generations during which very few northern congressmen and no southerners at all have ever given colored voters even a nibble of this congressional slush fund.

We believe that it is just as much nepotism when all the money goes to one race as it is when it all goes to one family. After all, the money comes out of all our pockets.

He Has Issued 45, Delays Recall

Hulan Jack Is Cool to Ban On Honorary Auto Shield

Matter referred to various city agencies for comment.

Manhattan Borough President Hulan E. Jack made it clear yesterday that he was able to restrain his enthusiasm—to say the very least—for Mayor Wagner's order calling in all city insignia in use on private automobiles.

Mr. Jack, who succeeded Mr. Wagner as Manhattan Borough President, has appointed some forty-five "honorary deputy borough works commissioners" whose chief prerogative has been to have important-looking city shields on their automobiles.

The Mayor, in an order made public yesterday, banned these shields and called for their surrender to or recapture by the police. Some 200 are said to be in use.

Has Taken No Action

Mr. Jack told an inquirer yesterday that he had "taken no action on the shields."

Asked if he would instruct his honoraries to turn in their shields, Mr. Jack said he would wait. He wanted to wait and see, he said, if all the honorary deputy commissioners appointed by Mr. Wagner when he was borough president turned in their shields.

Mr. Jack said he was in "full sympathy" with the part of the Mayor's order which sharply restricts the use of city passenger automobiles, permitting only elected officials to have chauffeured limousines (Mr. Jack is an elected official).

Riegelman Lauds Action

Harold Riegelman, counsel to the Citizens' Budget Commission, issued a statement yesterday praising the Mayor's order as a step in the right direction which "deserves encouragement and commendation."

Director Abraham D. Beame said yesterday that his Automotive Analysis Unit is in the process of completing a set of rules regulating the use of every automobile owned by the city. The rules are to be re-

Powell urges U.S. Afro American $$ aid for Cubans

(SPECIAL TO AFRO)

SAN JUAN, Puerto Rico — Following the fall of the Batista regime on New Year's Day, Rep. Adam Clayton Powell proposed U.S. aid for the new Cuban Government to be set up by rebel forces of Fidel Castro.

Powell, who was vacationing here, said he will introduce legislation in the 86th Congress to help Castro reconstruct Cuba as a pillar of Democracy."

The U.S. Congressman predicted that the "dictatorship of Trujillo will be next" to fall.

Reference was to the government of Dominican President Hector Trujillo, whom Powell termed a "dictator."

* * *

POWELL SAID he plans to work with anti-Trujillo forces "until what happened in Cuba also happens in the Dominican Republic."

He said one of the bills he proposes to offer in Congress would prohibit the United States giving asylum to dictators.

* * *

PRESIDENT FULGENCIO BATISTA, who fled Havana by plane a matter of hours before the arrival of Castro's forces, has taken refuge with his close friend, Trujillo, in the Dominican Republic.

Castro charged in a broadcast from Santiago that the flight of the former Cuban "Strong Man" had been made possible by the treachery of Maj. Gen. Eulogio Cantillo of Batista's Army with whom he had made a "deal" for the peaceful surrender of Havana.

General Batista, who was accompanied on his flight into the Dominican Republic by his wife and a party of 40, was accused by Castro of having taken $300 million with him.

Two of Batista's sons had been flown into New York several days earlier. Three more of the eight Batista children were flown into Jacksonville, Fla. Three are with their parents.

ON THE surface, all had been quiet in Havana until the departure of the fallen President on Thursday. Immediately thereafter rioting broke out in the downtown section of the city.

It was accompanied by the looting of the casinos of the city's four plush tourist hotels and the wrecking of the plant of the government newspaper, "Pueblo."

Tourists, who had gathered in the lobby of the Sevilla-Biltmore Hotel were not molested, although rioters swarmed outside as Castro's militiamen and police fired above their heads in an effort to clear the streets.

On Friday, the bitterest fighting of the coup took place as Castro's field troops moved in on the city from the already captured Camp Columbia, once Batista's military strong point.

* * *

CONVERGING on the downtown section of the city in tanks and armored cars, the rebels were met by diehard Batista followers in a three-hour battle within sight of the Presidential Palace. An estimated 40 to 50 men were believed killed and approximately 450 wounded.

Quiet was restored to the city by Friday night, after Castro followers, wearing black and red armbands patrolled the streets under strict orders for stern punishment of looters or other disorderly elements.

Visiting American tourists remained in their hotels, following the advice of the U.S. Embassy in Havana to stay off the streets and exercise caution. The number of Americans in Cuba is estimated at 1,200.

* * *

CASTRO'S EFFORTS to unseat Batista, Cuba's "Strong Man" for more than a quarter century, date back to 1953, when the young rebel led a band of 200 students in a bloody and futile counter-revolutionary drive against Batista, who had seized power from President Carlos Prio Socarras.

On July 26 of that year more than half of Castro's young counter - revolutionaries were killed and the rest fled. Castro himself was sentenced to 15 years in prison, but was freed two years later and exiled to Mexico.

* * *

THERE HE trained another band of 81 guerilla fighters with whom he returned to Cuba on Dec. 1, 1956, calling themselves the "26 de Julio" (July 26) movement in memory of the earlier unsuccessful student counter-revolution.

One day later the band was attacked by government troops who killed all save 12 of its members.

The survivors fled into the remote and rugged Sierra Maestra mountains, from which they began raids against police and Army posts.

* * *

IN THE two years since, Castro built an effective fighting force estimated at 10,000, succeeded in gaining control of more than half of the island, and had demonstrated the superiority of his guerilla band over the Cuban Army, described as one of the best trained and equipped in Latin America.

Observers have cited a parallel between the early careers of Batista and Castro, in that both men were born in Oriente Province and each swept into power at the age of 32 as heads of revolutionary movements which claimed the objectives of ending tyranny of governments then in power.

There however, the similarity ends.

Batista, the son of a Cuban-Indian farmer father and a colored mother, rose from poverty to become a sergeant in the Cuban Army.

He was the leader of the "Army of Sergeants," the band of non-commissioned officers which in 1933 overthrew their superiors to take control of the Army and seize power by deposing the administration of the hated dictator Gerado Machado.

Batista then became a colonel and Army chief of staff, ruling Cuba as the man behind its presidents for a quarter century.

* * *

CASTRO IS the son of a prosperous sugar planter. His mother was a member of a family of wealthy landowners.

Batista had worked as a hand in the sugar fields and as a laborer before entering the Army at the age of 22.

Castro was a bright student, and is the holder of three degrees, including a doctorate and a law degree.

Batista taught himself to become an Army stenographer.

Powell flays Patterson aid for Kennedy

By JAMES FREE
News Washington correspondent

WASHINGTON, June 29—The support of Gov. John Patterson—a strong segregationist—already is creating a backfire against presidential candidate John Kennedy from the integration forces.

Rep. Adam Clayton Powell (D., N. Y.) is blasting the Massachusetts senator for accepting the backing of Gov. Patterson and Sam Engelhardt, Alabama State Democratic Executive Committee chairman. The Negro congressman charged that the two Alabamians "are arch enemies of the Negro, the National Association for Advancement of Colored People, and the U. S. Supreme Court.

"THEY ARE LEADERS," said Powell, "in the fight to deny Negroes the right to vote."

Noting that "it is an undisputed fact that Patterson and Englehardt had breakfast with Kennedy and that both sides pledged their support," Powell added:

"This means that Negroes, other minorities, and right-thinking whites cannot under any circumstance support in any way the candidacy of Sen. Kennedy for either president or vice president nominations."

Powell said he would call on all delegates to the Democratic National Convention in 1960 to repudiate any effort of Sen. Kennedy to get a place on the party ticket.

And Powell went even stronger so far as delegates from New York State are concerned. He said he will "demand" that these delegates oppose Kennedy.

MOREOVER, Powell said he will call on leaders of the Democratic National Committee and party leaders in various Northern states to go on record as to whether they will support Kennedy in view of the avowed support of these two Negro-hating Alabamians."

While Americans For Democratic Action has voiced mild disapproval of Kennedy's seeking the support of Patterson, Powell's is by far the most bitter reaction so far from the pro-integration forces.

Kennedy has been doing his best to soft-pedal the civil rights issue in these pre-1960 months. In a speech Saturday night, for example, he did not list civil rights as one of the seven major issues of the forthcoming 1960 campaign.

He is taking this course, naturally, in an effort to get all the delegates he can from both North and South. But how long he will be able to continue this kind of fence walking is problematical.

Meanwhile, Gov. Patterson declared in a radio interview Sunday if Sen. Kennedy is elected president "he will be sympathetic to the problems of the South."

Patterson, who is one of the South's staunchest segregationists, said "As far as I know, Kennedy is the only potential candidate for president who has visited all of the Southern states in recent months."

"I think the state of Alabama is in a good position to play a leading part in national affairs and I want to see us play that part," added the governor. "He has a good chonce to win and the people who are with him early will sit at the front table. I want Alabama to be up front."

PATTERSON said he feels Sen. Kennedy has a good chance of becoming president and the country should be tolerant of his religious views. The governor made these remarks in answer to criticism of his recent endorsement of Kennedy, who is a Catholic.

The official Alabama Methodist publication—The Christian Advocate—called Patterson's enrdorsement "cause for regret" and stated that the Roman Catholic Church is more than a church—it is a political power."

Folsom Denies Powell Courier Guest in Ala. Mansion

(Courier Press Service)

BIRMINGHAM, Ala.—Former Gov. James E. Folsom of Alabama has denied reports that Democrat Congressman Adam Clayton Powell of New York was a guest in the Alabama executive mansion some time ago.

Quizzed about the Powell visit to Montgomery on a television program here last Sunday, Folsom said:

"He wasn't my guest in the Governor's mansion. He came to my office, back of the Governor's mansion after I had left my office at the Capitol at 5 P. M. He came there on business.

Mr. Folsom also denied that Congressman Powell had taken a drink of Scotch and soda at the mansion.

"He did not," Mr. Folsom said when asked the question.

—more for your money in The Courier—

Powell Urges U.S. Policy on Africa

BY ALICE A. DUNNIGAN

WASHINGTON—Congressman Adam Clayton Powell (D., N. Y.) has called upon the U. S. Government to make clear its policies and programs for coping with the changes now taking place in many African countries.

In a speech on the floor of the House of Representatives on Monday, the New York Representative called attention to "the continuing revolution against colonialism that is now engulfing the continent of Africa, a revolution which we, in the United States, started in 1775.

"While we are kept informed through the press of the riots and killings occurring in French Equatorial Africa, the Belgian Congo, Italian Somaliland and Nyasaland and the extent of these eruptions, still we have heard nothing of America's future plans for meeting the challenge of a new Africa in the coming years," said Powell.

■

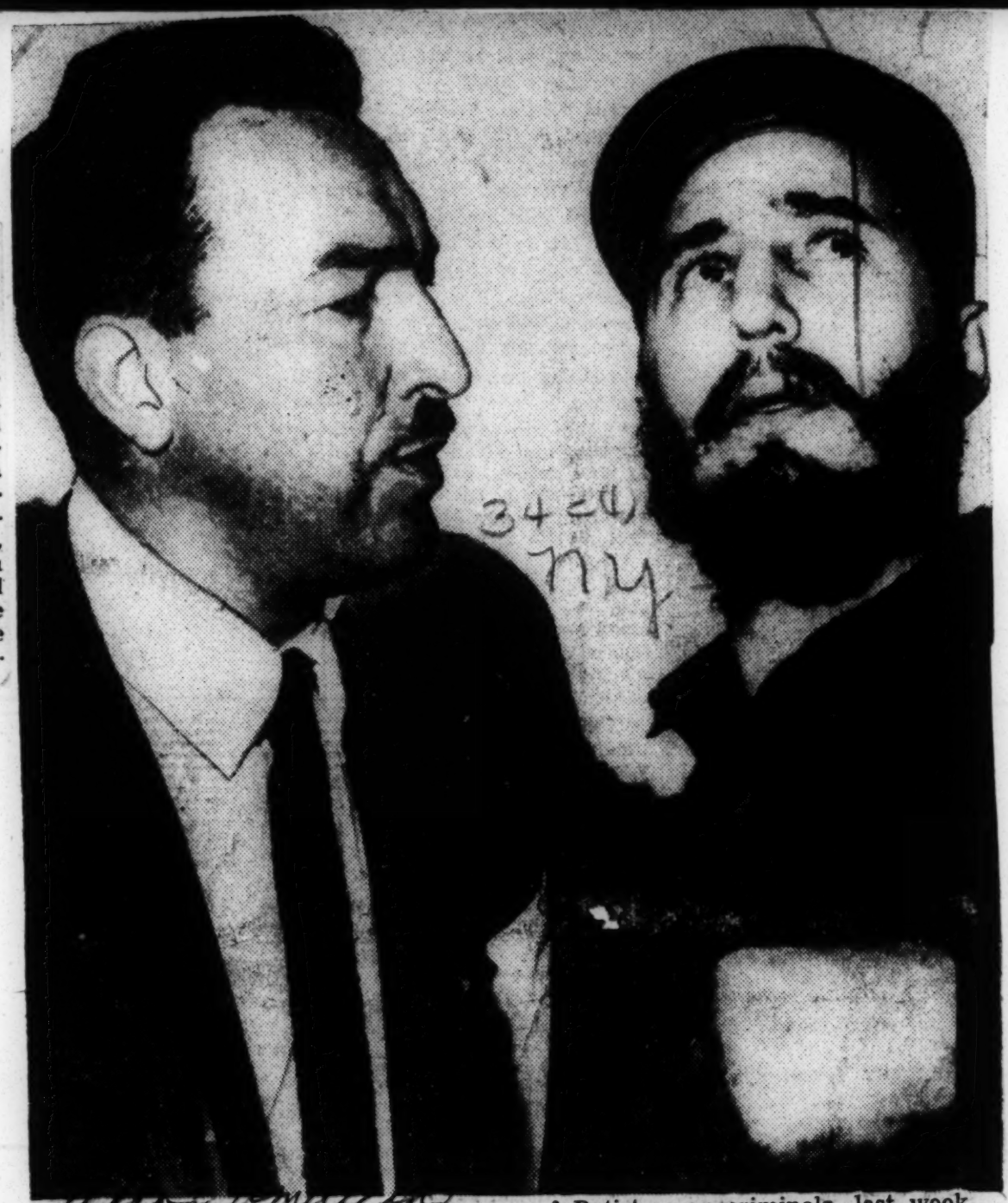
RECOGNIZING THE fact that Congress has appropriated money for a Department of African Affairs and smaller sums for technical aid and exchange personnel, Powell pointed out that those responsible for leadership in this country do not know what the United States' policy is toward Africa and the Africans.

Africa is an area that demands immediate attention, continued Powell. As the conflict intensifies, as the struggle for freedom broadens, this country is inevitably going to have to operate from one base or the other on behalf of either the two hundred million Africans struggling against every form of fascism on that continent, or cast our lot with the five million departing Europeans determined to continue colonialism into the 20th century.

America has concentrated so intensely upon the struggle of the Soviet-Western world that its leaders have failed to observe that a new world is being born there, continued the speaker.

"It is in this new world arena that the struggle for peace and freedom in our times is going to be waged, and our very survival, our freedom, our beliefs in the dignity are inextricably tied in with the ultimate outcome of the struggle against oppression in Central Africa and the Union of South Africa."

"Africans will never be satisfied until they enjoy full self-government, economic and social security, the realization of which can only be achieved in a non-imperialist social order." America can no longer pursue a dual program—consorting with the Europeans and, at the same time, maintaining a relationship with the Africans. Our concern should not be directed toward where we are today but where we will be next year as regards Africa, concluded Powell.



HUDDLES WITH CASTRO — Rep. Adam Clayton Powell (D.N.Y.) speaks to rebel leader Fidel Castro, right, during demonstration in which approximately one million Cubans gathered in front of the Presidential palace to cheer approval of the execution of Batista war criminals, last week. Powell was one of the two U.S. Congressmen invited to Havana, Cuba, to witness the demonstration. The other Congressman was Rep. Charles O. Porter (D-Ore.)

MAYOR'S ASSISTANT—Mrs. Joyce Phillips Austin, right, just named assistant to New York's Mayor Robert F. Wagner, accepts one of many citations from Miss Wilhelmina Adams on behalf of the New York Club of the National Association of Business and Professional Women's Clubs, Inc.

N. Y. Lawyer New Assistant To Mayor

NEW YORK — Mrs Joyce Phillips Austin, a 34-year-old lawyer, was named as a $12,500-a-year assistant to Mayor Robert F. Wagner, succeeding Mrs. Anna Arnold Hedgeman, who resigned recently.

Sworn in Monday to her new post, Mrs. Austin was assistant deputy commissioner of the New York State Department of Commerce.

She is the wife of Rodman W. Austin, a city school teacher, and lives at 2181 Madison Ave.

A practicing lawyer for 11 years, Mrs. Austin is a member of Mayor Wagner's Committee on the Problems of the Aging, belongs to several bar associations, and has been active in Negro and civic affairs. She is a graduate of Hunter College and Fordham Law School.

New Assistant to Mayor To Take Office Monday

Associated Press

Mrs. Joyce Phillips Austin

The appointment of Mrs. Joyce Phillips Austin as a $12,500-a-year assistant to the Mayor was announced yesterday by Mayor Wagner.

Mrs. Austin, 34 years old and a lawyer, will be sworn in Monday at 2:30 P. M. in City Hall. She succeeds Mrs. Anna A. Hedgman, who recently resigned.

The new assistant, who lives at 2181 Madison Avenue, is the wife of Rodman W. Austin, a teacher in the public schools. She is a graduate of Hunter College and Fordham Law School and at present is Assistant Deputy Commissioner of the New York State Department of Commerce.

MRS. JOYCE PHILLIPS AUSTIN

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Mrs. Joyce Austin takes office as N.Y. assistant to mayor

NEW YORK — Mrs. Joyce P. Austin took over the the $12,500-a-year job as assistant to New York's Mayor Robert Wagner Monday. She was sworn in at City Hall.

The wife of Rodman W. Austin, a school teacher, Mrs. Austin is a graduate of Hunter College and Fordham Law School.

The 34-year-old newly appointed assistant succeeds Mrs. Anna A. Hedgman, who recently resigned from the post. Mrs. Austin lives at 2182 Madison Ave.

She is also assistant deputy commissioner of the New York State Department of Commerce.

Rocky Picks Elmer Carter SCAD Head

ALBANY, N. Y.—Gov. Rockefeller named Elmer A. Carter, one of the original members of the State Commission Against Discrimination, chairman of that agency at a $[illegible]-a-year salary.

As one of the original members, Carter had been appointed by former Gov. Thomas E. Dewey when the agency was established in 1945.

E. A. Carter

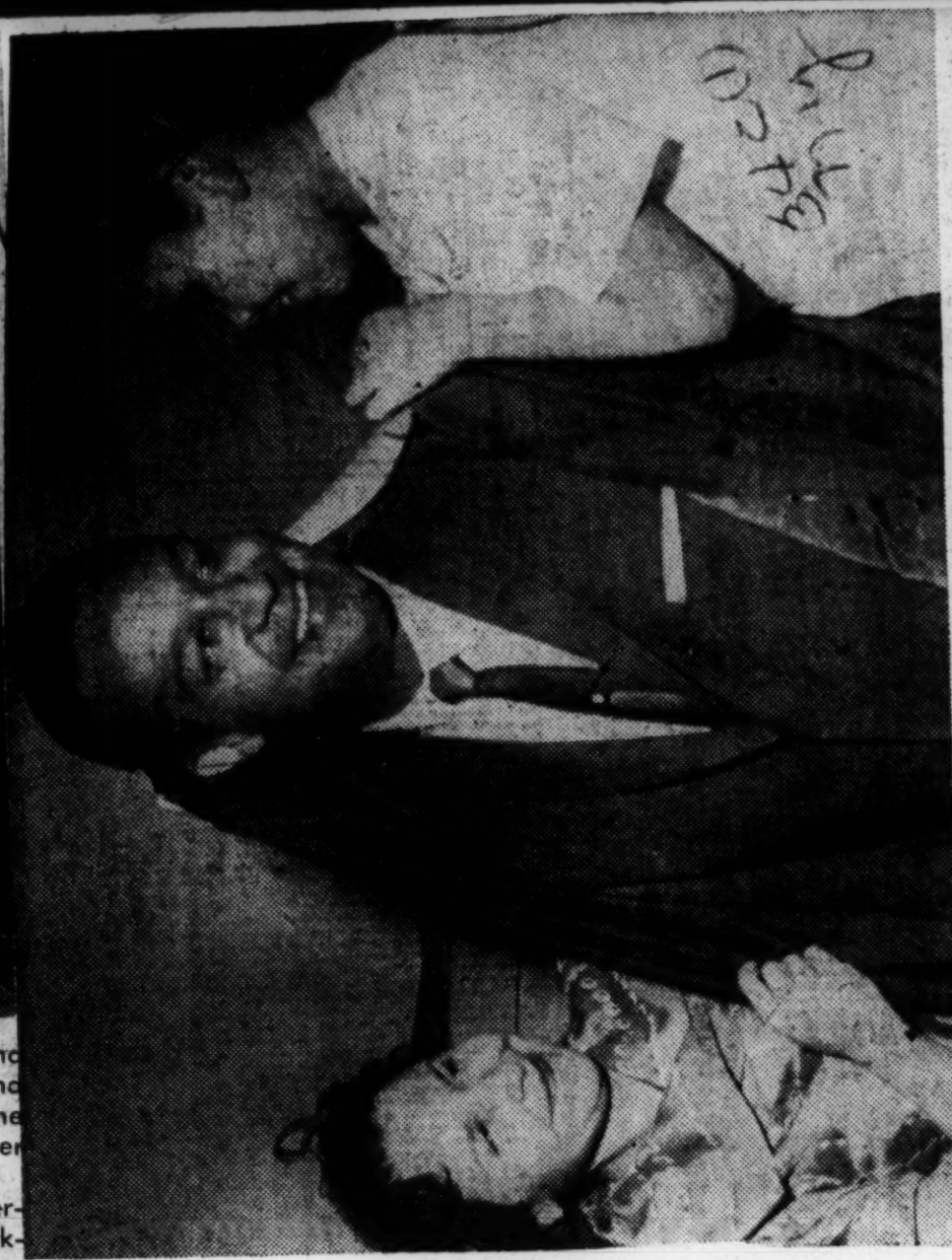
Republican members of the commission are Carter and J. Edward Conway of Kingston. The Democrats are John A. Davis of New York City and Louise Nice of Towanda, former vice chairman of the Democratic State Committee.

Commission members receive salaries of $15,200.

GETS TOP POST OFFICE JOB IN NEW YORK REGION — Henry R. Jackson, newly appointed Regional Training Officer, New York Region of the Post Office Department, receives congratulations from Assistant Postmaster General Eugene J. Tyers (left) of the Bureau of Personnel and Joseph A. Clarke (right) Staff Assistant to the Assistant Postmaster General, Bureau of Operations.

Jackson was called to Washington last week and informed that he was being promoted, effective February 7, to the top training job in the New York Region, largest in the United States, with responsibility for the training and development of 30,000 postal employees and supervisors in the 18,000 post offices of the New York Region, with salary of $11,605 per year.

A career postal employee of 35 years service in the Brooklyn, N. Y. Post Office, Jackson was named Assistant Regional Training Officer of the New York Region in 1955. He serves also as a part-time instructor and lecturer in special courses for federal employees in the metropolitan New York area offered by the New York University's Graduate School.



It's Official — The family of newly appointed Justice Samuel R. Breitel, in New York, by the Hon. Charles D. Breitel, associate justice, Appellate Division, First Department of New York. Proud punch are Mrs. Barbara Pierce and nine-year-old daughter, Victoria.—Campbell Photo.

Pierce Jr., 36-year-old of General Sessions, he dicial robe, following his

Herald Tribune photo by Nat Fein

FAMILY GATHERING—John B. King (second from left) is taking oath of office as an Associate Superintendent of Schools at City Hall yesterday, surrounded by his family. Mr. King is the first Negro to be elected to such office. Left to right: Mayor Wagner, Mr. King, Mrs. King, Mrs. Lynne Kennard, a daughter; Mrs. Joan Norris, another daughter, and Dr. John J. Theobald, Superintendent of Schools. On desk, left to right, are Mr. King's grandsons, John Kennard and Keith Norris.

Sworn as First Negro Associate Superintendent

John B. King, who eight years ago became the city's first Negro assistant superintendent of schools, yesterday was sworn in by Mayor Wagner as an associate superintendent to become the first of his race to hold that post.

The ceremonies, held at City Hall, were witnessed by some 200 friends and relatives, and by Superintendent of Schools John J. Theobald.

Mr. King, who will serve a six-year term in the $19,750 post, replaces Dr. William A. Hamm, who died last March. Mr. King is a Catholic, as was Dr. Hamm, and his appointment maintains the religious balance on the school system's nine-man Board of Superintendents.

The fifty-year-old associate superintendent is a veteran of thirty-one years as a teacher and administrator in the city's schools, without, a school spokesman said, a single day's absence.

He lives at 1414 E. 49th St., Brooklyn, with his wife, Elizabeth. They have two daughters, both married, and three grandchildren.

34c(1) 1959

NEW YORK

The New York Times

CERTIFIES PASSAGE: Mayor Wagner affixing his signature yesterday to the city's record expense budget after it was passed by the Board of Estimate. With him are Lawrence E. Gerosa, Controller, and Mrs. Ruth W. Whaley, secretary of Board of Estimate.

Dumpson appointed to $22,500 year N.Y. welfare post

NEW YORK — James R. Dumpson, who has been serving as first deputy commissioner, has been appointed by Mayor Wagner to the $22,500 a year post as welfare commissioner.

The appointment becomes effective Aug. 21. He will succeed Henry L. McCarthy who resigned to become executive director of the Community Council of Greater New York.

Dumpson, 49, is married and the father of a daughter, 12. He's a graduate of Pennsylvania State University and the New School for Social Research.

Mrs. Bolen re-appointed

NEW YORK — Mrs. Jane M. Bolin has been sworn in for a second 10-year term as justice of the Domestic Relations Court.

The able woman jurist was sworn in by Mayor Robert Wagner, Tuesday, two months before the expiration of her term on July 22.

Friend to the Needy

James Russell Dumpson

A MAN with a strong sense of mission but a healthy regard for what is practical will become official "family provider" for more than 350,000 New Yorkers when he takes over the helm of the city's Welfare Department on Aug. 21. He is James Russell Dumpson, and his highly rated executive ability, his devotion to the department's program, his unflagging good humor and his special concern for underprivileged children have long marked him as a comer in the world's largest municipal welfare agency.

Man in the News

When he succeeds Henry L. McCarthy as Welfare Commissioner next month, the 49-year-old career social worker will become supervisor of the annual expenditure of more than $300,000,000 in city, state and Federal funds to the needy.

Double-Barreled Zeal

No one who knows him doubts that he will demand a strict accounting of every penny of it. "Jim Dumpson's zeal for the underprivileged is more than matched by his zeal for seeing to it that nobody throws away the taxpayers' money," a top city administrator said of him yesterday.

"He runs a tight ship," another said.

A slightly built man who moves quickly and speaks slowly, Mr. Dumpson feels that one of the major tasks confronting him as Commissioner will be to educate the public to "the hard fact that the Welfare Department, in helping the needy, is actually helping everyone in the community."

He points out taht untold thousands of youngsters, for example, have been kept from straying down the paths of juvenile delinquency because public assistance helped their parents when they could not help themselves.

A wry smile crossing his lips, he says:

"You know, some people have the idea that public assistance is nothing but a freeloading operation for loafers. The fact is we have returned many, many thousands of persons back to full participation as useful—and taxpaying members—of society after very temporary and very limited help to them."

Mr. Dumpson, a specialist in the problems of underprivileged children, joined the department in 1955 as director of the bureau of child welfare. He became first deputy commissioner in 1957. He has been a social service worker since 1937, starting with private agencies in his native Philadelphia after a three-year stint as a public school teacher.

Careful with the taxpayers' money.

He is the second Negro ever to head a major city gency. The first was Arthur Ford, until recently Commissioner of Water Supply, Gas and Electricity. Mr. Ford is now a lifetime member of the Board of Water Supply, which plans and constructs the city's Water-supply facilities.

Works Long Hours

Mr. Dumpson, who is 5 feet 6 inches tall, has been nicknamed the "Little Dynamo" by fellow workers because of his long and prodigious work hours (including week-ends). He believes that the demands of running a department of 8,000 employes will give him even less time at home than before.

However, his wife, the former Goldie Brangnan, a nurse anesthetist at Harlem Hospital, has vowed to see to it that he takes some time off to attend the theatre and musical concerts they both love.

They have a 12-year-old daughter, Geraldine, and live in a new apartment in Park West Village at 792 Columbus Avenue.

The new Commissioner is active in the Urban League and the National Association for the Advancement of Colored People. He is a Roman Catholic and attends Holy Name Roman Catholic Church at Amsterdam Avenue and West Ninety-sixth Street.

Resigns Post On Parole Board

Jackie Robinson of Stamford, Conn., former star of the Brooklyn Dodgers baseball team, has submitted his resignation from the Connecticut State Prison Parole Board. The resignation is effective Sept. 1.

Mr. Robinson, now an executive of a restaurant concern, said he was resigning because of the "pressure of work."

Discrimination Fighters

Elmer A. Carter — Deliberate and persevering

Fabian Bachrach

ELMER ANDERSON CARTER'S appointment as first Negro chairman of the state's anti-discrimination commission is not likely to be applauded either by shot-eyed integrationists or by stand-pat conservatives.

A veteran fighter for civil rights, he has consistently taken the position that the twin evils of discrimination and segregation must be attacked not only with diligence but also with patience and a sense of fairness to all concerned.

Men in the News

An amiable man now in his sixty-eighth year, Mr. Carter does not hold with those who believe that discrimination can be wiped out overnight. Nor does he side with those who think it will straighten itself out if you just leave it alone.

A scholarly type, he was described by one of his critics yesterday as "a guy who spends so much time thinking about a problem that he never finds time to do anything about it."

Has Quiet Approach

But his friends defend him as a relentless pursuer of justice in cases coming before him as one of the five members of the State Commission Against Discrimination.

Charles Abrams — Controversial "zealot"

"Elmer is one of those men who is effective without making a lot of noise about it," says Julius Thomas, Urban League executive and one of Mr. Carter's oldest friends.

Mr. Carter is fond of telling stories, tinged with humor, illustrating the Negro's struggle against discrimination.

He recalls that, though a college graduate, he served "in the Jim Crow Army" in the First World War. He went in as a buck private and came out as a buck private.

"I think I must have washed every garbage can in the Army," he says.

But his experiences have not left him embittered. He is known as a gracious and witty host with a wide circle of friends among both whites and Negroes. And he is sought after as a speaker by many groups who have heard of his reputation for the practical but reasonable approach to race relations.

Prefers Spectator Sports

He is an avid baseball and football fan who tends to shun exercise. He is far happier settled in a warm chair reading a good book or entertaining friends than he is on the tennis court or the swimming pool.

He lives in a spacious apartment at 409 Edgecombe Avenue in Washington Heights.

He is married to the former Thelma Johnson, a native of Texas who shares his enjoyment of the classics and an occasional first night at the theatre.

Mr. Carter was named by Gov. Thomas E. Dewey as the first Negro member of the State commission when it was established in 1945.

From 1937 to 1945 he served as a member of the board of appeals of the state's division of placement and unemployment insurance, by appointment of Gov. Herbert H. Lehman.

Born in Rochester, N. Y., the son of a Methodist minister, he grew up in Auburn and Gloversville.

It was in Auburn as a child that he knew the famous Negro abolitionist, Harriet Tubman, in her declining years. He remembers her as a hard and physically powerful woman even in her old age."

From 1928 to 1942 he edited the magazine Opportunity, publication of the National Urban League. Before that he had been executive secretary of several Urban League branches, including the one in St. Paul, Minn., where he met his wife.

HIS political foes and his warmest friends have called Charles Abrams a zealot. Mr. Abrams says this is not 100 per cent accurate. He describes himself as "a practical planner who becomes a propagandist when it's necessary." Until he resigned yesterday as chairman of the State Commission Against Discrimination, Mr. Abrams had spent two years bringing landlords, employers, places of public accommodation, and others into line under applicable laws prohibiting discrimination because of race, religion or national origin.

Under a new law, effective since July, he has sought to ease the job discrimination against the elderly.

His fight against discrimnation is not limited to these categories. As a Grenwich Village resident, Mr. Abrams is an after-hours champion of the urban dweller and the pedestrian.

A leader in the fight to preserve Washington Square, he has called the pedestrian the forgotten man of the automobile age.

Mr. Abrams has held office, on and off, since the late Mayor Fiorello H. La Guardia put him on the Slum Clearance Committee in 1934.

He has been counsel to the City Housing Authority, consultant to the United States Housing Authority and the Public Housing Authority, special counsel to the New York State Joint Legislative Committee on Housing and Multiple Dwellings, State Rent Control Administrator, member of former Governor Harriman's interdepartmental committees on housing and mortgage financing, and chief or expert on United Nations missions to Turkey, Pakistan, the Gold Coast and other lands.

Named by La Guardia

Mr. Abrams was a Democrat and a successful lawyer when Mayor La Guardia appointed him to the non-salaried slum post.

He resigned from the City Housing Authority in 1937 after a disagreement with the Mayor on housing tactics. He joined the Liberal party when it was organized and is one of its State vice chairmen.

Conservative Republicans at Albany have denounced Mr. Abrams for what they called his "socialistic" aims. They slashed the anti-discrimination commission's budget after he became chairman in 1956.

Heck and Harriman Agree

It was then that Assembly Speaker Oswold D. Heck blasted him as "a zealot." Governor Harriman immediate identified himself as "a zealot," too, and declared he wanted all New Yorkers to show "zeal, not moderation" in the fight against discrimination.

Mr. Heck and the Republican majority blocked Mr. Abrams' bid for enlarged powers for the commission.

Back in 1947 Mr. Abrams went into State Supreme Court to try to force Stuyvesant Town to rent apartments to three Negro war veterans.

The Court ruled that while such discrimination might be "unwise" and "undesirable," there was no State law against it.

Eight years later the Legislature adopted such a law, and last year a City ordinance banned discrimination in almost all private housing here.

He was born fifty-seven years ago in Lithuania and was brought here at the age of 2. He is married to the former Ruth Davidson, a painter. They have lived for more than thirty years in a high-ceilinged brownstone at 18 West Tenth Street. There are two daughters, Judith, 20 years old, and Abby, 16.

CARTER WILL HEAD STATE'S BIAS UNIT

Negro Successor to Abrams Who Resigns to Give Governor Free Hand

Special to The New York Times.

ALBANY, Jan. 27—Elmer A. Carter of New York City, a Negro and one of the original members of the State Commission Against Discrimination, was named chairman of the agency today by Governor Rockefeller.

He succeeds Charles Abrams, an appointee of Governor Averell Harriman, who resigned from the commission to give the new Republican Governor a clear field in reorganizing the agency.

During his term as chairman, Mr. Abrams was attacked by Speaker Oswald D. Heck of the Assembly as a "zealot" in the field of civil rights.

His recommendations for broader powers for the commission got short shrift in the Republican-controlled Legislature.

Calls Program Vital

"I consider it vital that a constructive civil rights program not be set back by partisan considerations or personal differences," Mr. Abrams wrote the Governor.

He continued:

"It has, however, become increasingly clear to me that those in the legislature with whom I have disagreed for the last four years would use my continued presence on the commission as an excuse for delaying or ocnditioning further action.

"It is no secret that one of the reasons given in the past for denying the commission the right to initiate regulatory action has been the fact that I was chairman."

By resigning from the commission more than a year before his term was to expire, on July 1, 1960, Mr. Abrams left the agency with two Republican and two Democratic members and cleared the way for the designation of Mr. Carter.

The Republicans are Mr. Carter and J. Edward Conway of Kingston. The Democrats are John A. Davis of New York City and Miss Mary Louise Nice of Tonawanda, former vice chairman of the Democratic state committee.

Explains Views

Mr. Abrams told the Governor he was withdrawing because "I have no intention of making your task more difficult or inhibiting or diverting the legislative advances whch must be made."

Mr. Carter was one of the original members of the commission named by former Gov. Thomas E. Dewey when the agency was established in 1945.

His term expired last July, too late for Mr. Harriman to replace him with a Democrat who could obtain Senate confirmation, the legislature having adjourned in March.

As chairman, Mr. Carter will receive $16,000 a year. Commission members get $15,200.

Powell Rests In Puerto Rico Home

WASHINGTON — (ANP) — Congressman Adam Clayton Powell, who became ill in San Juan, Puerto Rico, last week is reported to be resting comfortably. He hopes to be able to travel by the end of the week when he expects to return to New York.

The first report coming from Puerto Rico Thursday said the New York Congressman was stricken with a heart attack while playing badminton with friends outside San Juan.

Later it was reported that his illness was not due to a heart condition but was complicated by an infection of both ears.

His office would not clarify the nature of his illness since they had no direct information from either the Congressman or his doctor.

The New York Times

BOARD OF ESTIMATE MEETS: At Mayor Wagner's office yesterday in City Hall were, from left, John Cashmore, Borough President of Brooklyn; Hulan E. Jack, Borough President of Manhattan; Lawrence E. Gerosa, Controller; Albert V. Maniscalco, Borough President of Richmond; John T. Clancy, Borough President of Queens; James J. Lyons, Borough President of the Bronx; Abe Stark, President of the City Council, and Mayor Wagner.

New York Gov. Nelson A. Rockefeller Appoints Young Negro Lawyer Judge Of Court Of General Sessions

Samuel R. Pierce, 36-Year-Old Former Cornell Football Star Named To $34,500 A Year Post

Albany, Jan. 15 — Samuel R. Pierce, a 36-year-old Negro lawyer and former Cornell football star, was given a temporary appointment by Governor Rockefeller today as a General Sessions judge in New York County. His salary will be $34,500 a year.

Mr. Pierce, a Republican, will take the place of Judge George M. Carney who became a Supreme Court Justice on New Year's Day.

His appointment runs until next Dec. 31. A successor to Judge Carney for a full fourteen-year term is to be chosen at the general election next fall. Governor Rockefeller sent Mr. Pierce's nomination to the Senate today for confirmation.

Except for a disagreement between former Gov. Averell Harriman and Carmine G. De Sapio, leader of Tammany Judge Carney's place might have been filled by a Democrat.

ATTY. SAMUEL R. PIERCE

The former Governor wanted to appoint his counsel to the vacancy. Mr. De Sapia wanted Thomas E. Rohan, chairman of the State Liquor Authority, named.

As a consequence of the row, Judge Carney withheld his resignation until Mr. Harriman left office. This automatically transferred the privilege of making the appointment from Mr. Harriman to Mr. Rockefeller.

Mr. Pierce, who has been in private practice since 1957, returned last month from a business trip to Europe and Africa during which he attended the All-African People's Conference at Accra, Ghana.

Since his graduation from Cornell College and Cornell Law School, Mr. Pierce has held several public positions. His sponsors for his present office included Senator Kenneth B. Keating, former Senator Irving M. Ives, Secretary of Labor James P. Mitchell and United States Circuit Court Judge J. Edward Lumbard.

For several years Mr. Pierce was a member of the board of governors of the New York Young Republican Club. More recently he served as vice president of the regular Republican Club for the Twelfth Assembly District South.

Ex-gridder named judge in surprise

NEW YORK — In a move which even surprised the appointee, Gov. Nelson Rockefeller named Samuel R. Pierce Jr. as judge of General Sessions Court on Thursday. The office pays $34,500 a year.

The 36-year - old Phi Beta Kappa and former Cornell University football star succeeds Judge George M. Carney, who was elected to the Supreme bench in November.

Mr. Pierce's term will expire on Dec. 31. He then must run for election in November to serve the full 14-year term.

The first colored Republican appointed to the General Sessions Court, Mr. Pierce was recommended by Sen. Kenneth B. Keating, former Sen. Irving M. Ives, Secretary of Labor James P. Mitchell and U.S. Circuit Court Judge J. Edward Lumbard.

UPON LEARNING of the announcement by Governor Reckefeller from Albany, the new judge was at loss how to explain his selection for an office to which he was unaware that he was being considered.

"I am deeply grateful to Governor Rockefeller and I will do my utmost to live up to all his expections," he said.

The only contact that he has had with the governor, said Mr. Pierce, was while he worked as campaign chairman for Senator Keating.

Both Mr. Keating and Mr. Rockefeller consulted with Mr. Pierce on minority issues during the campaign.

* * *

A FORMER Federal and New York prosecutor, Mr. Pierce has been in private law practice since 1957. He was an assistant to District Attorney Frank Hogan from 1949-53 and assistant U.S. Attorney for the southern district of New York from 1953-55.

After serving in the latter post, Mr. Pierce went to Washington as an assistant to Under Secretary of Labor Arthur Larson, a former Cornell University professor who had taught Mr. Pierce.

In 1956, Mr. Pierce was hired by Mr. Keating, then a leading member of the House Judiciary Committee, as counsel for the anti - trust subcommittee.

Mr. Pierce received this post upon the recommendations of Dr. Arthur E. Sutherland, professor of law at Harvard who had taught Mr. Pierce at Cornell.

* * *

IF IT HADN'T been for a disagreement between former Gov. Averall Harriman and Tammany Hall leader Carmine DeSapio, Mr. Pierce would not have received the appointment.

Governor Harriman wanted to appoint his counsel to the post and DeSapio wanted another man for the job. Subsequently, Judge Carney withheld his resignation until Harriman left office.

Governor Harriman, while in office, made two similar appointments to colored Democrats. He named both Harold A. Stevens and Thomas Dickkins to the General Sessions Court.

Judge Stevens is now on the appelate bench and Judge Dickens is still on the criminal bench.

* * *

MR. PIERCE is the husband of Dr. Barbara Wright Pierce, a specialist in internal medicine. She is the daughter of the late Dr. Louis T. Wright who was a famous surgeon at Harlem Hospital.

While at Cornell, Mr. Pierce was named as a candidate for All - America by many football writers. The war interrupted his schooling. After serving with the Army Criminal Investigation Division in Europe, he returned to Cornell and earned an A.B. degree, later taking a law degree at the university.

Mr. Pierce first became interested in politics while in college, joining a GOP student group.

He recently served as vice president of the Republican Club of the 12th Assembly District South and for several years he was a member of the board of governors of the New York Young Republican

SAMUEL PIERCE, former football star, is appointed to a New York judgeship.—See story on Page 3.

Ex-NCC prof nominated for high N.Y. post

ALBANY, N.Y. — Gov. Nelson Rockefeller last week named Frank L. Caldwell of Buffalo, pending confirmation by the Senate, as a member of the State Board of Parole for a term to expire June 18, 1960.

The 38 - year - old former instructor of law at North Carolina College at Durham was nominated to succeed Herbert B. Ebans of NYC, who was a recess appointee. The post pays $17,400 a year.

MR. CALDWELL practiced law in Buffalo from 1951 - 57. In June, 1957, he was named assistant director of industrial relations of the Buffalo Urban League. He taught at NCC from 1949-50.

A native of Denver, Colo., he attended public schools there and later earned a degree at West Virginia State College and Institute and a law degree at the University of Colorado at Boulder, graduating with high honors in Sept. 1947.

* * *

MR. CALDWELL is a member of Alpha Phi Alpha Fraternity and Bethel AME Church in Buffalo. The Colorado Centennial Commission cited him as a "distinguished citizen" in 1958 in connection with their celebration of the founding of Denver.

He is married to the former Miss Ruth Fayerman Norman. They have three children.

Rockfeller Names Negro To High Post

ALBANY, New York — Elmer A. Carter, one of the original members of the New York State Commission Against Discrimination, was named chairman of the important body last Wednesday by Governor Nelson Rockefeller.

Mr Carter succeeds Charles Abrams, appointed to the post by Governor Averell Harriman, who resigned from the commission to give Republican Governor Rockefeller a clear field in reorganizing the agency.

Mr Carter was one of the original members of the commission named by former Gov Thomas E. Dewey at inception of the commission in 1945.

As chairman Mr Carter will receive $16,000 a year.

The new commission chairman is married to the former Thelma Johnson, a native of Texas. He also served as faculty member and athletic coach at Prairie View prior to the Texas school's inauguration of a program that called for a full-time coach.

Mr Carter edited the magazine Opportunity, organ of the Urban League from 1928 to 1942. He also served as executive secretary of several Urban League branches.

An amiable man, now in his 68th year, Mr Carter is considered a veteran fighter for civil rights who does not hold with those who believe that discrimination can be wiped out overnight. Now does he side with those who think it will straighten itself out if you just leave it alone.

He has consistently taken the postion that the twin evils of discrimination and segregation must not only be taken with diligence but also with patience and a sense of fairness to all concerned.

Mr Carter's appointment evoked comments from liberals and conservatives. "Elmer is one of those men who is effective without making a lot of noise about it," Julius Thomas, Urban League executive, said.

Powell Did Not Suffer Heart Attack

Special to Journal and Guide

SAN JUAN, Puerto Rico — Reports that Cong. Adam Clayton Powell Jr., had suffered a heart attack here are false.

The physician treating the Congressman reported that the Harlem Democrat did not suffer a heart attack but a siege of bronchitis complicated by an infection of both ears.

REPORTS reaching the United States last Thursday said that the veteran legislator-pastor was stricken by a heart attack while playing badminton with friends outside San Juan.

Dr. Anthony Lombardi said that Cong. Powell had suffered an attack of influenza in Washington March 17 and that it developed into bronchitis.

DR. LOMBARDI said that while driving to the airport Thursday to catch a plane home, Cong. Powell collapsed.

Electrocardiograms taken Thursday and again Friday night showed the Congressman's heart condition normal.

Powell Suffers Heart Attack In Puerto Rico

NEW YORK (NNPA)—Representative Adam Clayton Powell, Harlem Democrat, was reported by his office here Friday to have suffered a slight heart attack Thursday while playing badminton in San Juan, Puerto Rico.

According to his office, Dr. Aaron O. Wells, Mr. Powell's physician, talked with a San Juan physician by telephone and concluded that the Congressman had suffered "a slight myocardial ischemia, which is an insufficient supply of blood to the heart muscle."

Mr. Powell suffered a similar attack on June 2, 1957, while in his pulpit in the Abyssinian Baptist Church.

Has 4th Heart

In game of badminton in San Juan

By STAFF CORRESPONDENT

SAN JUAN, Puerto Rico — Rep. Adam Clayton Powell Jr., militant congressional and flamboyant pastor of New York's Abyssinian Baptist Church, suffered a heart attack, his fourth, here Thursday afternoon.

The attack reportedly occurred when the 50-year-old Congressman was playing badminton during a brief visit here. On Friday, he was reported well enough to return to New York by plane.

Rep. Powell's first attack occurred May 19, 1947 when his wife (Hazel Scott) was driving him to his office via the Hudson River Parkway.

A few weeks later, in July of the same year, he suffered a second attack. This time, he was driving his family to their Long Island summer home. The attack came on a Sunday afternoon after he had delivered the second of two Sunday sermons.

Abyssinian Baptist Church was shaken to its foundations on June 2, 1957 when the handsome minister was stricken in the pulpit with his third attack.

* * *

DESPITE THE many criticisms leveled at the colorful minister, he has almost from birth been the pride and joy of the 10,000 - member Abyssinian Baptist Church, now 151 years old.

He was born Nov. 29, 1908 in New Haven, Conn. A few months later, his family moved to New York when his father, the Rev. Adam Clayton Powell Sr., became pastor at Abyssinian.

The church immediately took the fair - skinned, curly-haired youngster to its collective heart and kept him there through a series of youthful escapades and two marriages to women in "the entertainment world."

As Adam Sr. prospered through real estate transactions in a changing Harlem, so did the church through his initiation of social welfare programs making it a community institution.

The church was one of the first to offer club rooms, reading rooms, gymnasium and roof gardens—a physical plant established at a cost of $350,000 unprecedented in colored church circles.

* * *

ALL THROUGH his boyhood, the church adored his good looks and flowing curls. However, when Adam preached his first sermon, to a young people's meeting on a Sunday evening, 22 persons joined the church.

The pulpit magic that he showed them that evening when he was still a junior at Colgate University has stayed with him through the years giving him a hold on his congregation that few other ministers can equal.

He was graduated from Colgate in 1930, having been an honor student off and on. In 1933, he married Isabel Washington, a divorcee alumna of the famed Cotton Club revue.

They were married for 12 years until she divorced him in 1945 naming an entertainer as "the other woman." Later that year, Powell married Hazel Scott, the talented pianist he first met while she was giving a recital at his church.

WHEN ADAM SR. retired from the pastorate in 1937 because of illness, Adam became full - fledged leader of the church. The church was entirely paid for and Adam had a "cushion" of a large, adoring congregation to help him launch his career.

The solidity of his support was shown in 1941 when he first ran for City Council and drew the third largest vote in New York's history. In 1944, he successfully ran for Congress and has been unbeatable ever since.

His detractors enviously point out that with Abyssinian Baptist Church in back of him, he has 10,000 loyal, full-time precinct workers — a "machine" strength unmatched anywhere in the nation.

While he has kept his place in the hearts of his congregation, he has been a controversial figure elsewhere. His public utterances have drawn both cheers and jeers from colored Americans generally.

He has shown remarkable ability to withstand pressure under fire, however, and has successfully defied both convention and political probability.

Speculation on the effect of a fourth heart attack on an active career is that if he is not completely disabled, he will remain in the forefront as a fiery, energetic fighter for his beliefs.

REP. ADAM CLAYTON POWELL
Suffers 4th heart attack in Puerto Rico

Hulan Jack Opposed to Zone Shifts

Public Hearings To Start Today

By Peter D. Franklin

Asserting that the city's proposed new zoning ordinance is "destructive," Hulan E. Jack, Manhattan Borough president, yesterday said he was "unequivocally opposed" to the plan on which public hearings begin today.

Mr. Jack, taking one of his strongest stands on any subject since he was first elected in 1953, said it was "hard for me to believe" that the proposal could be taken "seriously" unless radical revisions were undertaken. He charged the ordinance would cause the city's building boom, especially in Manhattan, to come to a grinding halt.

"I feel compelled to announce now that I am unequivocally opposed to the proposed ordinance, and that I believe other members of the Board of Estimate will also oppose it in due time," he asserted, adding his conviction that it would cause "great and irreparable harm" to the city if adopted.

The zoning resolution, supported by the City Planning Commission and its chairman James Felt, will go before the first in a series of public hearings today and tomorrow at 10:30 a. m. at City Hall. It represents an overall revision of the city's present zoning ordinance which dates back to 1916 and its backers contend it would further a more orderly development of business and residential districts.

Mr. Felt has already promised "many, many changes and modifications" in the proposal which would allow the city to grow unimpaired to a population of nearly 11,000,000.

Mr. Jack acknowledged the need for revision. "But the revision proposed is so destructive of land values that private investment in Manhattan real estate and the rebuilding of outworn areas under it would come to a dead stop," he said.

The city treasury would not only lose real estate tax income, Mr. Jack asserted, but the city's giant construction industry would be curtailed, thousands of its workers unemployed and that would "mean the end of the development of Manhattan as the business center of the nation."

Felt Backs Change

This was in sharp contrast with the opinion of Mr. Felt, who said yesterday that "contrary to some predictions of a building slowdown, practical experience and historical evidence indicate that the immediate effect of new building or zoning ordinances is an acceleration of new construction."

He said that builders have a compulsion to construct as much as possible before "deadline," and pointed out that when the present zoning resolution was enacted, building permit valuations increased 31 per cent.

Furthermore, the city's greatest building boom in its history followed World War I under the 1916 ordinance, the chairman contended. He urged, however, that builders "think twice before committing themselves to hasty action" in a deadline building boom.

Criticizes Commission

Mr. Jack criticized the Planning Commission for making the plan public in the first place when it was obvious it needed so many revisions before enactment. "(It) is so drastic that it is not only sending shivers of fear down the spines of those who have merely begun to analyze it but worse yet is bringing the present building boom to a grinding halt," he charged.

Before any action is taken on the measure, it will be discussed in a number of informal hearings, borough by borough, with officials, and professional, civic and business groups in order to get their views and possible amendments.

Then the commission will hold a formal hearing and draw up its own proposal based on the current one. That will be submitted to the Board of Estimate early in the fall, Mr. Felt hopes, for final approval.

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NATO (NORTH ATLANTIC ORGANIZATION)

Mordecai Johnson Represents U. S. At NATO Confab

fall pg
Kansas City Mo.
fm. 5-29-59

WASHINGTON. — (ANP) — Dr. Mordecai Johnson, president, Howard university, has been selected to serve on the U. S. committee for the Atlantic congress, scheduled to meet June 5-9 in London.

More than 650 delegates from the NATO countries will attend the conference, sessions of which will be opened by Queen Elizabeth.

Purpose of the Atlantic congress is to bring together the ablest and most distinguished citizens, representative of the principal aspects of national life in NATO countries, to consider ways and means of further developing cooperation.

The economic and political affairs of North America and European members of NATO, and between those countries and undeveloped countries outside the area of the North Atlantic treaty, will come under special consideration.

Dr. Johnson, also a member of the board of the Atlantic congress, is vice-chairman, National Council for the Prevention of War; director, National Council of Christians and Jews; American Civil Liberties union and the United Negro College fund.

He also serves on the National Advisory Council on Education, National Association for Mental Health, Inc., and the National Association of Universities.

He has been decorated by the governments of Panama and Ethiopia.

Monroe Mayoralty Race:

Negro Is Seeking Post

MONROE (UPI)—North Carolina Negro Leader Robert F. Williams said Tuesday his plans to run for mayor of the City of Monroe this year "indicates that the new Negro of the South will no longer be content to be a third-class citizen."

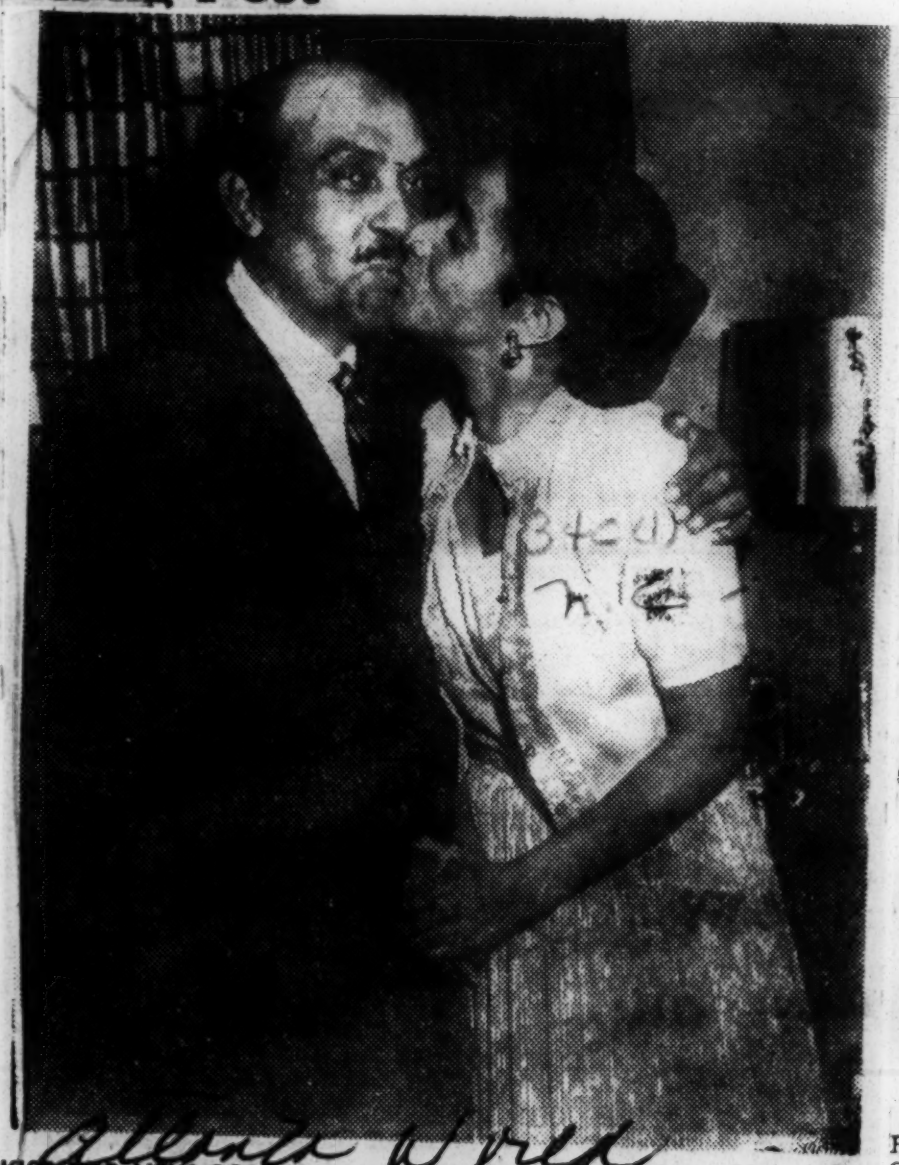
Williams, president of the Union County chapter of the National Assn. for the Advancement of Colored People, already has posted his filing fee for the Monroe mayoralty race. He said he believed "it would be a good idea for more Negroes to run for public office and I'm going to encourage them."

He said "I think this is going to be beneficial. I hope to arouse the people, both colored and white, to more civic consciousness."

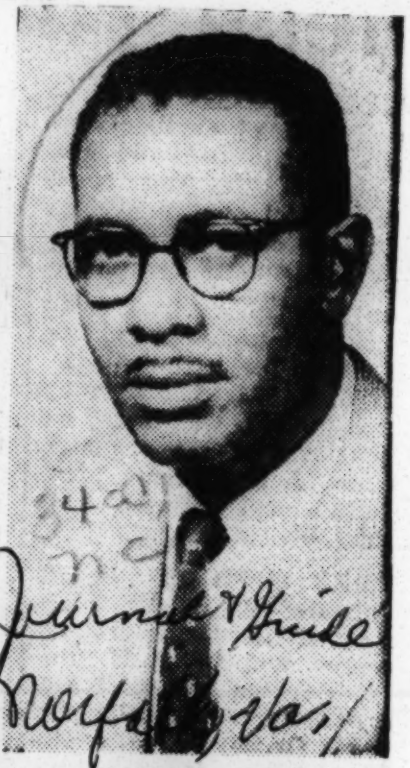
Williams said he planned to "get a platform to give our side of the story, and to represent the Negro people on this platform, and to focus outside attention on our objectives." He added that the platform would be "pro-labor . . . I hope to get a chance to inform the people of Union County of the advantages in having labor unions."

Williams declined to speculate on his chances for election in this town whose Negro population he estimated at about 25 per cent of the total. But, he added, "I feel that as an American citizen I have as much right to run for public office as any other American."

He said "I expect to make speeches, I'm going to try to get some radio time, and I'm going to distribute leaflets from house to house. This is all on my own, as a private citizen."



KISS FOR NEW COUNCILMAN — Newly elected Greensboro, N. C. City Councilman Walter Falkener gets a kiss from his wife, Margaret Falkener, a professional bondsman, won in the election, Tuesday, May 5, to place on the seven-man council which drew a record 34 candidates. He is second Negro in history to be elected.



JAMES R. EARP
Takes State Post

James R. Earp Accepts Post With State

RALEIGH, N. C. — James Rayford Earp, teacher in the Cooper elementary school, Clayton, has resigned to accept a position with the State Probation Commission. His duty will begin July 1.

A native of Johnston county N. C., Mr. Earp was graduated from Shaw university and did further study toward a master's degree at A. and T. college.

He is married to the former Miss Adelaide Davis of Enfield, N. C., who is a teacher in the Raleigh public school system.

THEY have one son, Dennis Rodney Earp, who is two years old. The Earp family resides in Raleigh.

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OHIO

Judge Carter Named Ohio Budget Superintendent

COLUMBUS, Ohio (SNS) — A former municipal court justice has been appointed Ohio's new superintendent of the budget. He is Judge Russell L. Carter, of Dayton.

His appointment was revealed by James Maloon, state finance director. He will advise the director on legal aspects of state financing.

Carter is married to the former Miss Esther Scott, daughter of Mrs. W. A. Scott, Sr., of Atlanta. He has been a Dayton resident since May, 1941. He was born in Columbus and is a graduate of Ohio State University and Harvard Law School. He was also associated with the Montgomery County prosecutor's office before going into private practice.

Carter was appointed a municipal judge July 6, 1953, by Gov. Frank J. Lausche, but was defeated by Judge Cecil Edwards when he ran for election in November, 1953. The appointment is subject to confirmation by the Ohio Senate.

The Carters have two children, Esther, 14, and Russell, Jr., age 40.

JUDGE RUSSELL CARTER

Appointed To Positions In Unemployment Bureau

Kenneth E. Banks

Mrs. Browder

Albert Lee Hopkins

Four Negroes have been appointed to positions in the Ohio Bureau of Unemployment Compensation. Each is the first colored person named to hold the position.

In the Cincinnati Office Kenneth E. Banks was appointed Counsellor and Albert Lee Hopkins, Field Examiner. Mrs. Jacqueline Browden, clerg-typist in Columbus and Walter S. Lee, investigator in Cleveland Office.

In reply to an inquiry concerning hiring practices at the Bureau, Mr. R. J. Rice, Personnel Director, stated — "The only requirement for employment at the Bureau is the ability to perform the job assigned efficiently. This is in conformance with the announced policy of Governor DiSalle.

MRS. SANDERS

Mrs. Ernestine Lane Sanders has been appointed by Judge David Black as a typist in the Juvenile Court at the Butler County Courthouse.

Mrs. Sanders is the daughter of Mr. and Mrs. Henry Lewis, 416 Long st., Hamilton. She is a 1953 graduate of Hamilton High School, attending Ohio State Univ. 1953-4 and also Middletown Business College.

34c(1) 1959

OKLAHOMA

First Negro In Oklahoma History To Receive Appointment

Muskogee, Okla., Apr. 27.—A prominent Muskogee Negro Junior High School principal, Emery Jennings, was appointed to the State Pardon and Parole Board Monday. It was the first time in the history of the state of Oklahoma that a Negro has been appointed to this position. Jennings' appointment was confirmed April 20.

He will replace Dr. Perry H. Corbin of Anadarko, who resigned the position Monday. A graduate of Manual Training High School Muskogee, Langston university; and Oklahoma State University. He is present principal of Sadler Junior High School in Muskogee. Jennings appointment will be in effect until January 14, 1963, it was learned Tuesday. An eloquent speaker and a staunch political worker, Jennings supported Governor J. Howard Edmondson in the recent Gubernatorial campaign and was an active member of the Governor's Citizen Committee on Repeal last Autumn. Jennings appointment will not affect his present status as principal because the board will meet only once a month. On April 27th the Board will meet at McAllister, Okla., to hear the final plea of kidnap slayer Edward Leon (Pete) Williams who is scheduled to die in the state prison electric chair May 6th for the 1956 pistol kidnay slaying of a Tulsa ministerial student near Haskell, Okla. Well known in the state, Jennings is married and has two children. Following his recent history-making appointment, Jennings told the Oklahoma Eagle, "I hope to serve with distinction, not only for my race, but for the whole state. I will serve with humility and to the best of my ability. I realize the responsibility there is to the job. I know of no other Negro appointments at the present time, but I expect more to be forthcoming." According to authorities, Governor Edmondson reserves the right to name three members of the five man board. He has already appointed James Garrett, Mangrum, former assistant attorney general prior to Jennings appointment, which leaves only the post currently filled by Ralph Hood of Guthrie, as his discretion. Other members of the board, appointed by the State Supreme Court of Appeals are Charles Chesnut of Miami, chairman; and Howard Cowan of Tulsa, both of whom served previously in this capacity.

Emery Jennings Appointed To State Pardon-Parole Board

Governor Edmondson Says Muskogee School Man Chosen Because of Qualifications

BREAKS FIFTY-YEAR STATE TRADITION

Governor J. Howard Edmondson broke a fifty-year tradition this week when he named Emery H. Jennings, Muskogee school principal, as a member of the state pardon and parole board. Gov. Edmondson announced selection of Jennings as one of his three appointees on the board.

Asked why he had named a Negro on the board, Edmondson said: "I think he is qualified and will make a good member of the board."

The governor revealed he had considered the appointment for some time. He said he had considered having a Negro on the board because of the large number of Negro prisoners considered by the board for clemency. However, he said the chief consideration was his classifications.

"From the standpoint that he is a Negro, I will put it this way," said the governor. "If someone wants to measure the appointment on that basis, certainly it is justified on that basis."

He added that Ralph Hood, of Guthrie, who has served on the board, will be reappointed to complete his three appointments on the board. Garrett was named to replace W. J. Caryle, Marietta, and Jennings replaced Dr. P. H. Corbin, Anadarko, who resigned.

In speaking of his appointment Jennings, who is principal of Sadler Junior high school in Muskogee, said that as far as he could ascertain he is the first Negro in Oklahoma named to the pardon and parole board. He said he believes similar boards in California and New York each has a Negro serving on it. He expressed belief his appointment was not made for racial reasons. "I hope it's purely on the basis of my qualifications," he declared.

Jennings has been principal at Sadler six years and was an elementary school principal six years before that. He was also a high school classroom teacher four years.

Married and with two daughters, Jennings is a 1940 graduate of Langston university. He received his master of science degree at Oklahoma State university in the summer of 1957.

Jennings said if he is confirmed by the senate, he hopes to serve the state well, "not only from a racial standpoint but without regard to race or creed."

He said the fact Negroes make up "a great percentage" of the cases coming before the pardon and parole board "could have been a factor" in his appointment.

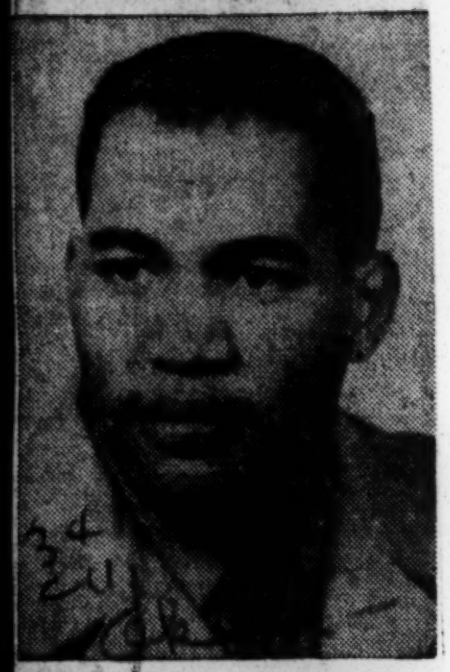
But he insisted there was no concerted effort by Negroes of the state to get a member of their race on the board.

LeFlore said the change in board personnel would have no effect on the planned clemency hearing set Monday for Leon "Pete" Williams, facing electrocution May 6.

Williams has asked the board to recommend Gov. Edmondson commute his death sentence to life imprisonment, at most. Williams was sentenced to death for the kidnap-murder of Tommy Cooke, Tulsa ministerial student.

EMERY H. JENNINGS

New Deputy County Assessor Is Named



DOUGLASS L. BROWNE

Douglass L. Browne, 2321 N.E. Park Pl., was appointed as a deputy county assessor, by Hershel Ford, county assessor, this week. Browne started his new duties Monday after having resigned his position at Tinker Field.

Brown, 39, is a former Oklahoma City policeman, after having served in the army for several years. In the army he was in charge of a military police group. He is married and has a son. He was with the Oklahoma City police department 8½ years.

Browne has been in Oklahoma City seventeen years. He formerly lived in Phoenix, Ariz., where he graduated from the Union high school. His mother lives in Fowler, Calif. Brown is a member of Allen Chapel A. M. E. church is secretary-treasurer of the Trustee board and sings in the choir. He is also treasurer of the Lay organization of the church.

Pittsburgher Wins High City Position

PITTSBURGH — One of the Democratic party's veteran campaigners has been appointed an accountant in the City of Pittsburgh's Accounting Division of the Department of Public Works.

■

Ralph E. Gloster, Democratic chairman of the First District of the Fifth Ward, received the Civil Service appointment which puts him next in line to Michael Cohen, chief accountant of the division.

■

A CITY EMPLOYE for the past 18 years, Mr. Gloster was sponsored for the post by Fifth Ward Democratic Chairman Robert E. (Pappy) Williams and City Councilmen Charles McCarthy, his former employer, and Paul F. Jones.

He had formely held the positions of assistant to accountant and division clerk.

Mr. Gloster is married and the father of four children, one of whom is attending Texas Southern University.

Vote of Confidence for Alexander

Philly Judge Gets Boost

PHILADELPHIA—A little over four months ago 1,403 members of the Philadelphia Bar Association won a 339 majority in voting that Common Pleas Court Judge Raymond Pace Alexander, first Negro appointed in the Commonwealth's history, was "not qualified" to hold his job.

Alexander

Last Tuesday, at the polls, 114,000 Democrats and Republicans combined rolled up an overwhelming vote of victory and confidence.

Alexander's own Democratic cohorts delivered him an awesome 80,633 votes, while beside his name on the Republican side, 34,153 levers were pulled down in his favor.

The vote marked an all-out repudiation of the bar association plebiscite that was unprecedented in its attack on a public official, and served to bolster the indisputable public opinion of Alexander's "qualifications."

THE BAR association also drew severe criticism from State Supreme Court Justice Musmanno, who demanded an "apology" from the association and suggested that it rescind its own findings under the cloudy aspects of the vote.

The association had voted 1,403 against Alexander, 1,066 feeling that he was qualified, and approximately 4,100 ballots were mailed to member-lawyers.

Th now firmly entrenched Alexander, former 5th District Councilman, was flooded with letters vowing support following the association's bombshell and civic, neighborhood organizations and churches rallied together in a concerted pledge to roll up a vote of confidence in the May 19 election. The results are unquestioned.

Judge Alexander is scheduled to receive a plaque from The Courier on the opening night of the eighth annual Courier Home Service Fair, June 9-10-11. On subsequent nights, a plaque will also be awarded to Municipal Court Judges Herbert E. Millen and Theodore O. Spaulding.

R. S. Dowdy Will Advise Conn. Mayor

PITTSBURGH, Pa.—Richard S. Dowdy, Jr., 24, has been named human relations adviser to the Mayor of New Haven, Conn. The post reportedly pays $10,000 a year.

Mr. Dowdy, for the past six years industrial relations department director for the Urban League of Pittsburgh, begins his new assignment as assistant to Mayor Richard C. Lee, Jan. 1.

In his new position, Mr. Dowdy will work on urban renewal and other programs to better human relations. His work in Pittsburgh had him on a program with community groups to eliminate discrimination in the employment and to prepare minority workers to meet specialized requirements in jobs.

Mr. Dowdy is a graduate of Duquesne University.

Laud Judge Wm Hastie For Dissenting Opinion In Nation's Steel Strike Appeal

PHILADELPHIA (ANP) — Labor leaders throughout the country, both in and out of the steel industry, this week warmly praised the dissenting opinion given by Circuit Judge William H. Hastie, when the U. S. Court of Appeals for the third circuit, upheld by a 2-1 vote, President Eisenhower's petition for an 80-day back-to-work order in the steel strike.

IMPORTANT CASE

Observers stated that this marked the first time a Negro judge had the honor of ruling in such an important case, involving the emergency provisions of the Taft-Hartley act. The majority decision was handed down by Chief Judge John Biggs, Jr., and Circuit Judge Herbert F. Goodrich.

In his dissenting opinion, Judge Hastie held that the back-to-work order would stifle collective bargaining by relieving **both the union and steel companies of economic pressure.** He contended that the effect would be to delay a negotiated settlement and thus frustrate the intent of Congress in passing he law. His decision did not challenge the statute's constitutionality.

The honor bestowed upon Judge Hastie as member of the U. S. Court of Appeals and his diissenting opinion in the steel strike found its echo this week when he was again mentioned as qualified and fit for elevation to the post of associate justice on the U. S. Supreme court bench.

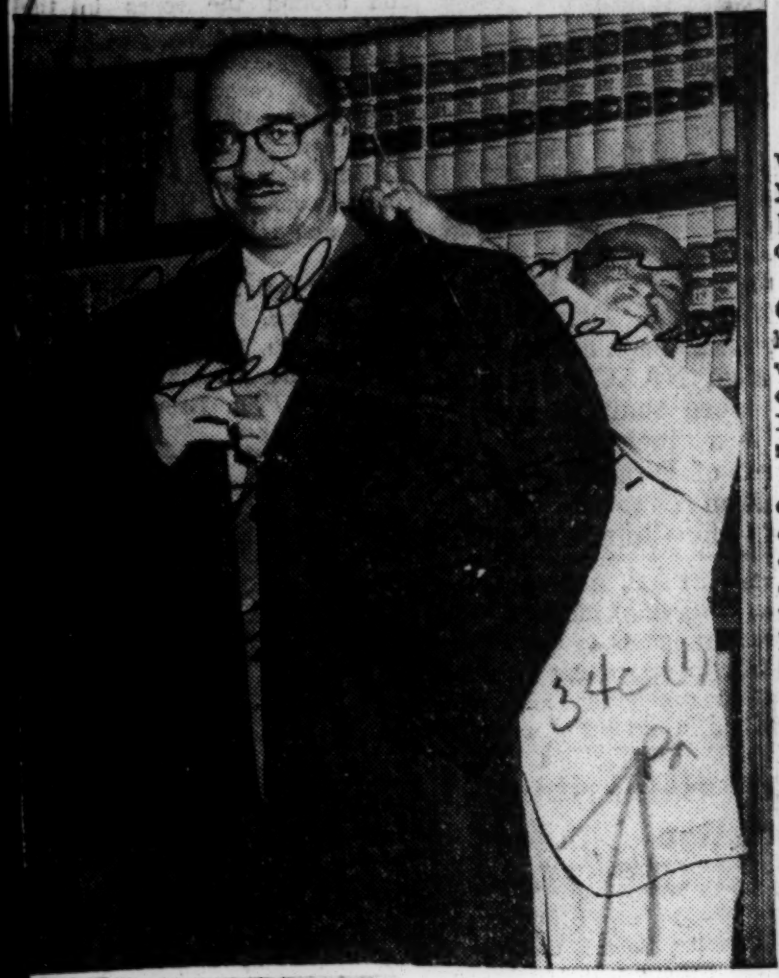
QUALIFICATIONS RECOGNIZED

After President Truman in 1949 appointed Judge Hastie to the Third Circuit Court of Appeals, in Philadelphia, his judicial decisions in many noteable cases prompted lawyers of both races, in various sections of the country to recognize his qualifications as a Supreme court justice.

Reflecting the nationwide interest among Negro lawyers in having appointments given them on U. S. district court benches, the Cook County Bar association recently appealed to President Eisenhower for appointment of a Negro lawyer to the next vacancy on the U. S. district court, northern district, eastern division, and to the Seventh Circuit Court of Appeals, Chicago.

In a letter dated Oct 21, to the President, and signed by Edward B. Toles, chairman, association's committee on public affairs, the bar group stated that "there appears presently to be no vacancy in Chicago in either the district court or the Seventh Circuit court of appeals, but we respectfully ask that the next appointment to any future vacancies or to any additional judgeship created by the Congress be accorded to a member of our association, composed of all the 400 Negro lawyers practicing in Chicago, Cook County of Illinois."

Again Mentioned For Seat On Supreme Court Bench



Former Oklahoman Elected Philadelphia Municipal Judge

A firm feminine voice belonging to a former Oklahoman will be heard from the Philadelphia bench for the next 10 years. The voice belongs to Mrs. Juanita Kidd Stout, a product of the Wewoka, Okla. school system, who was recently elected a municipal court judge in Philadelphia.

The new 40-year-old jurist's mother, Mrs. Mary A. Chandler Kidd, resides at 223 South Hichite in Wewoka, and her father, the late H. M. Kidd, was one of Oklahoma's pioneer citizens who, before his death in 1958, had resided in that community 50 years.

Judge Stout took the oath of office as judge of municipal court on October 23 in the largest courtroom available before an overflowing audience, the largest to witness such a ceremony in Philadelphia's history. She had been appointed by Gov. David Lawrence to fill the unexpired term of the late Herbert E. Millen.

However, under Pennsylvania law, Judge Stout was required to run for election for a full ten-year term of the $18,000 a year post. She was elected by a margin of 187,640 votes above the nearest opponent. Judge Stout's return was the second highest in the city-wide election held November 3, being only 3,300 votes below that of Mayor Richardson Dilworth, who led the ticket.

Judge Stout attended Douglass grade and high schools in Wewoka and was graduated from each as valedictorian. Although the Kidd family lived north of Wewoka, she lived in town during the school year with an aunt, Miss R. M. Chandler, or with an uncle and aunt, Dr. and Mrs. W. E. Chandler.

The new jurist says of her teachers at Douglass, "They were the best trained faculty and the most diligent I have had the opportunity to observe." She gives them and her parents credit for much of her success. "My parents taught me the principles of honesty and hard work," she says. "One part inspiration and nine parts perspiration is a pretty good formula for luck" is the motto she heard often while growing up.

The appointment and election of Judge Stout have received wide acclaim by jurists, lawyers, laymen and even prisoners she has prosecuted during her service as assistant district attorney. About it all, the new judge says simply, "I'm grateful," and "I shall try to continue to follow the admonition of my mother who has said so often, 'Juanita, learn everything you can, and make yourself useful.'"

JUDGE JUANITA STOUT

Negro Woman Is Sworn As Philadelphia Judge

Special to The New York Times.

PHILADELPHIA, Oct. 23—Mrs. Juanita Kidd Stout, a former assistant district attorney here, was sworn in today as a judge of the municipal court. She is the first Negro woman to serve as a judge in Pennsylvania.

The oath was administered by Judge Adrian Bonnelly, president of the Municipal Court. Judge Stout was presented to the court by Walter E. Alessandroni, chancellor of the Philadelphia Bar Association and United States attorney here.

The ceremony in flower-bedecked Room 676 at City Hall was attended by Mayor Richardson Dilworth, Judge William H. Hastie of the United States Third Circuit Court of Appeals, and Miss Ann Alpern, Attorney General of Pennsylvania.

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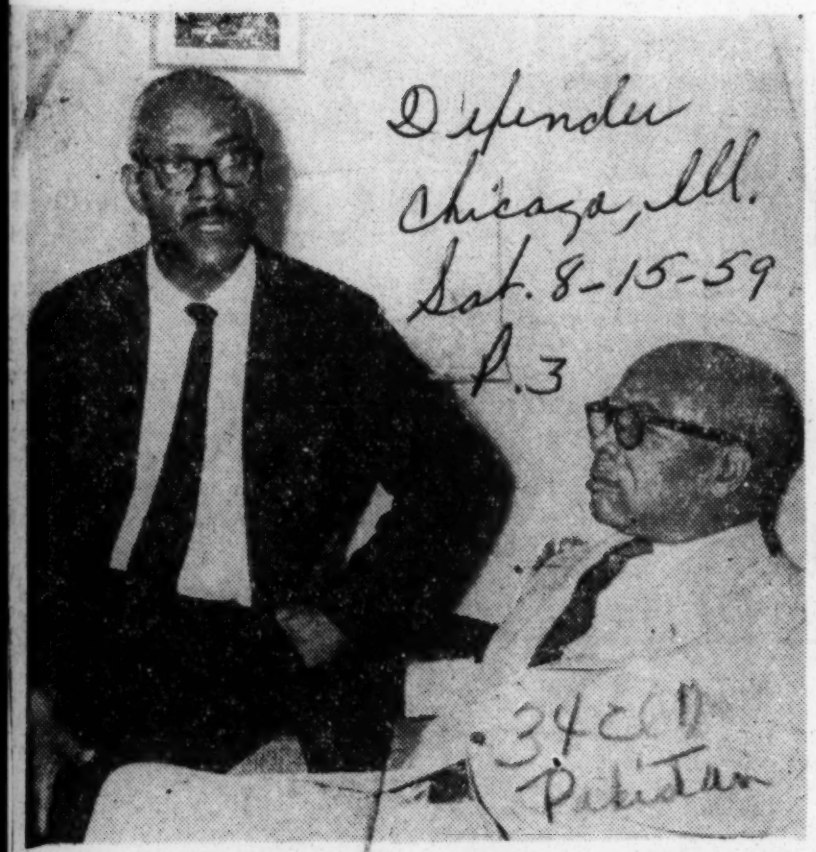

ARCHIE LANG (left) with Eugene O. Shands, host at recent Chicago receptions. (staff photo)

Chicagoan To Take Post In Pakistan

By ERNESTINE COFIELD

In late November, a Chicagoan, Archie Samuel Lang, will take up his duties as chief of the Administrative section at the American Consulate General in Lahore, Pakistan. He is a Foreign Service Officer for the United States Diplomatic Service. Lang has just ended two years of service as the second secretary at the embassy in Accra, Ghana.

A slender, light brown skinned man of just under medium height, the grey hairs on Lang's head belies his 43 years. His heavy mustache and horn-rimmed glasses, give the friendly career diplomat a scholarly look.

Although Lang entered government service as a specialist in 1950, it wasn't until three years ago that he entered foreign service. He joined the foreign service while stationed in Europe.

OKLAHOMA NATIVE

Born in Weleetka, Okla., Lang's minister father moved away from the small town when his son was six months old. Never visiting the town again, Lang said he looked it up on the map for the first time here recently. Officially the career diplomat calls Chicago home.

His educational background includes a bachelor's degree from Southern university, Baton Rouge, and a master's degree and work toward a doctorate at New York university. He majored in sociology.

Before entering government service, the scholarly looking man taught braille at Southern University school for Blind and was training specialist for the severely handicapped for the Veterans Administration regional office in New York.

EUROPE TOUR

In 1949, he went to Europe for the first time to set up a program for disabled, displaced persons for the International Refugee Organization which is sponsored by the UN.

Married for 15 years to Martha Elizabeth Malone, they are parents of twins, Juergen and Karin Elizabeth, 11, who were born in Munich, Germany.

Alma Scurlock, Social Worker, Gets D. C. Post

Alma S. Scurlock, social worker, was appointed assistant director of the District Commisisoners' Council on Human Relations yesterday.

Mrs. Seurlock

Mrs. Scurlock, of 1348 Ingraham st. nw., is a graduate of Howard and Columbia universities. She has been director of the Washington Urban League's child adoption program for two years. Previously, she was a case worker for Family and Child Services of Washington, a private welfare agency, and a social worker at District Juvenile Court.

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PENNSYLVANIA

Leader Names Alexander And Gold to Judgeships

By JOSEPH H. MILLER

Gov. George M. Leader yesterday appointed Councilman Raymond Pace Alexander and former Special Deputy Attorney General Joseph E. Gold to vacancies in the Philadelphia Courts of Common Pleas.

Alexander, the first Negro appointed to a Common Pleas judgeship here, was named to the No. 6 Court vacancy created by the resignation of Lt. Governor elect John Morgan Davis.

Profiles on Page 7

BACKED BY GREEN

Gold was designated as successor to former President Judge Curtis Bok, of No. 6 Court, now a member of the State Supreme Court.

Both appointees, recommended for the judicial posts by Democratic City Chairman William J. Green, Jr., were named for terms ending the first Monday in January, 1960.

If they seek full 10-year terms, and it is believed they will, the new jurists must stand before the voters at this year's municipal election.

MacNEILLE RESIGNS

Meanwhile, it was learned that Judge Raymond MacNeille, who has been a jurist since 1914, has resigned his seat in No. 3 Court effective last Wednesday.

Mentioned as possible successor to MacNeille were District Attorney Victor H. Blanc and David L. Ullman, a former member of the State Workmen's Compensation Board.

To avoid Senate confirmation of the appointee named to succeed MacNeille, Gov. Leader must reach a decision before Tuesday noon when the 1959 session of the Legislature convenes. Judicial appointees named during a recess of the Legislature do not require Senate confirmation.

PRESSURE EXERTED

Gold was indorsed for one of the judgeships by the Judiciary Committee of the Philadelphia Bar Association, but Alexander was not among the judicial candidates approved by the lawyers' organization. However, Alexander had been approved previously for a judgeship.

Leader's action, announced in Harrisburg, ended long speculation on whom he would name to the judicial vacancies.

Leader made no comment as he announced the appointment of Alexander and Gold.

The appointments indicated that Leader was not prepared to reject recommendations submitted by Green, even though heavy pressure had been exerted on him to turn down the Democratic City chairman's demand that Gold and Alexander be chosen.

LEVINTHAL TO LEAVE

Green, it was said, told the Governor he was for Gold and Alexander and no one else.

The Davis seat has been vacant since Aug. 20, while the vacancy in the Bok post existed since Nov. 9 when the former No. 6 Court jurist took his seat on the Supreme Court.

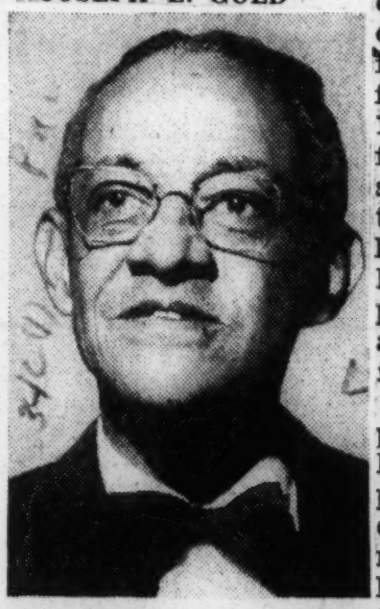
After Gold takes his seat, Judge Louis E. Levinthal, also of No. 3 Court, will resign.

FLOOD RECUPERATING

Levinthal, the only working member of No. 6 Court, will retire soon after he indoctrinates Gold into court procedure.

Judge Gerald F. Flood, the other No. 6 Court member, is recuperating from an illness, and does not plan to return to the bench before Feb. 1.

JOSEPH E. GOLD



RAYMOND P. ALEXANDER

Profiles

Meet New Judges

GOLD

JOSEPH E. GOLD, appointed to Common Pleas Court by Governor Leader yesterday, has been active in politics and legal affairs here almost since graduating from Temple University Law School in 1930.

Now 61, he was 34 when, as a rising young lawyer, he became an Assistant U. S. Attorney. Prior to that appointment in 1941 he had served for several years as counsel to the controller in charge of closed banks for the State Department of Revenue. As a staunch Democrat, he ran unsuccessfully for various city offices during the later 1940s, when his party first began making a strong bid for power in the then predominantly Republican stronghold. His efforts gained him no public jobs, but won him a place in the minds of his fellow Democrats.

When the latter came to power under Clark and Dilworth, his career as a public official began in earnest. In 1952 he was named solicitor to the Philadelphia Sheriff's office, resigning in 1953 to become counsel to City Council's Streets and Services Committee in its investigation of water-rent inequities. In 1954 he was appointed director of legal affairs for the State Democratic Party. In 1955 he was named a Deputy State Attorney General, assigned to the Pennsylvania Securities Commission, a job he held until last fall.

Gold has been active for many years in Jewish community affairs, and is a member of Steuben Lodge, Knights of Pythias; the Green Valley Country Club, and the Lawyers Club. He lives with his wife, Gloria, and three children at 337 S. Smedley st.

ALEXANDER

FOR City Councilman Raymond Pace Alexander, named to Common Pleas Court by Governor Leader yesterday, his elevation to the judiciary represents the climax of a long career as one of Philadelphia's best known Negro leaders. Until he became the first member of his race to be named to the court, he had held another distinction as the first Negro member of City Council, to which he was elected in 1951.

Until he was graduated with honors from Harvard Law School in 1923, he was variously employed as a huckster's helper and Dock st. worker, newsboy, waiter, railroad dining car cook, redcap porter, and college instructor in economics.

Alexander also was graduated from Central High School, and the Wharton School of the University of Pennsylvania. He became a fighter for racial equality when, soon after graduating from law school, he was recommended as a law clerk to a firm here but was turned down because of the color of his skin.

For 30 years after his admission to the bar he was active in trial and appellate work and wrote and published numerous articles on legal and historical subjects. He is a past president of the National Bar Association, a former counsel to the Haitian Embassy and former counsel to the Haitian Government. His report to Gen. George C. Marshall, then Secretary of Defense, on the integration of the Negro soldier in American forces in occupied Europe had much to do with ending segregation in the armed forces. He is married to Sadie Tanner Mossell Alexander, one of the city's best known women lawyers, and has two daughters.

Raymond Pace Alexander First Negro Judge Of Common Pleas Court

Philadelphia, Pa. Jan. 12 —Raymond Pace Alexander took the oath of office last week as Judge of the Court of Common Pleas, to become the first Negro ever to serve on this bench.

Prior to this time Atty. Alexander served as a member of the City Council.

A longtime Democrat, Atty. Alexander and his wife, who is also a lawyer, make up one of the best known husband and wife lawyer teams in the nation.

Raymond Pace Alexander Is Philly's First Negro Judge

PHILADELPHIA — (ANP)—Atty. Raymond Pace Alexander last week became Philadelphia's first Negro Common Pleas Judge.

He was appointed by Gov. George M. Leader to fill a vacancy. Alexander, a prominent attorney, was recommended for the post by Democratic City Chairman William C. Green, Jr., and replaces John Morgan Davis, lieutenant governor - elect, whose term will end January, 1960.

Alexander's appointment had been expected for several days. It was rumored that despite his not being endorsed by the Philadelphia Bar Association that Governor Leader would exercise the authority of his office and appoint the prominent attorney.

STEPPED ASIDE

In recent years, Leader has not appointed anyone to the local courts unless the candidate has been endorsed by the Bar Association. However, the governor does not have to make his selections from the approved attorneys.

One of the reasons that Alexander was considered was the fact that he stepped aside as a candidate for Congress in Philadelphia's fourth district so that Representative-Elect Robert N. C. Nix, also a Negro, could obtain strong backing in the special election May 20, 1958, to select a replacement for Judge Earl Chudoff.

Alexander, 59, has been a member of City Council since 1951, representing the 5th councilmanic district. He practices law in partnership with his wife, the former Sadie Tanner Mossell.

ANOTHER "FIRST"

An honor graduate from Harvard's school of law, Alexander in 1951 chalked up another first for a Negro when he was elected to the city council.

A past president of the National Bar Association and former counsel to the Haitian Embassy, Alexander has been credited with helping end segregation in the armed forces.

It is said a direct report he made to General George C. Marshall, then Secretary of Defense, on the integration of Negro soldiers occupied in Europe, helped end the segregation problem there.

Dr. Alexander has two daughters and a brother, Dr. William Alexander, a Boston dentist.

Pa. governor names Alexander to bench

PHILADELPHIA

City Councilman Raymond Pace Alexander on Friday was appointed to a Common Pleas Court judgeship by Gov. George M. Leader.

The appointment was to fill the vacancy created by the election of former Judge John Morgan Davis as Lieutenant Governor.

The unexpired portion of the 10-year term runs until January, 1960. In order to serve a full term, Councilman Alexander must stand for election this year.

WELL KNOWN as a civil rights lawyer, the 61-year-old appointee is the husband of Mrs. Sadie T. M. Alexander, a famous lawyer in her own right.

He was born in Philadelphia, the son of Hillard B. and Virginia (Pace) Alexander. He is a graduate of the University of Pennsylvania and Harvard Law School where he later was an assistant in the department of economics.

He has practiced in Philadelphia since 1923 and has also served as: counsel to the Haitian embassy in Washington as well as Haitian consul in Philadelphia; also the counsel for the National Medical Association, several church groups, the Citizens Committee on Democratic Rights and the American Civil Liberties Union.

He is a member of the Harvard Law School Association, the National Bar Association, board of managers of the YMCA, Alpha Phi Alpha fraternity, the Masons and the Elks.

He has written several articles on the law and civil rights.

He was elected to the Philadelphia City Council in 1951.

NEGRO PLAN IS SET FOR PHILADELPHIA

Church Groups Would Aid Probation Officers in Helping Criminals

By WILLIAM G. WEART

Special to The New York Times

PHILADELPHIA, Jan. 17 — A auxiliary probation system for Negro criminals, under which church committees will work with the city probation unit, was announced this week by Judge Raymond Pace Alexander, a former member of the city council.

The idea originated with Judge Alexander, who was sworn in last week as the first Negro member of the Philadelphia Courts of Common Pleas. Until then he had been a member of the city council.

The plan already has been approved by two large church groups, the African Methodist Episcopal and the Baptist churches. Other major church groups with Negro members are expected to join the program.

A spokesman for the Baptist Ministers Conference said the probation plan is of a type the Negro community has been seeking. It is designed to reduce the crime rate among Negroes and to bring more personal relationships into the rehabilitation of criminals.

Neighborhood Committees

Ultimately, some 300 church-affiliated committees are expected to participate. They will be based in neighborhoods where the majority of offenders live and will work in cooperation with the Probation Department of the Quarter Sessions Court.

Judge Alexander said he would ask the Board of Judges to approve the plan at its meeting on March 12. Operation of the special probation program for Negroes, he noted, would cost the city nothing.

Under the program, Negroes who are placed on probation would be required to register with a special clerk, paid by the churches, before leaving the courtroom. The clerk would assign him to an appropriate church-sponsored committee.

The probationer would be required to report to the committee as well as to the city's probation department. The committee would have more time to counsel, supervise and check on them than professional probation officers, each of whom supervises 80 to 120 defendants. It would be empowered to recommend temporary or permanent revocation of probation.

Associated Press

DEVISED PLAN: Judge Raymond Pace Alexander of Philadelphia, author of an auxiliary probation system for Negro criminals.

CONGRATULATIONS, LEROY — Atty. K. Leroy Irvis, left, first term Assemblyman from the First Legislative District, of Pittsburgh, holds some of the many telegrams and letters of congratulations which he received after taking the oath of office. He attended his first session of the Pennsylvania House of Representatives in Harrisburg, Pa., Tuesday. Listening proudly are, left to right, Mrs. Irvis, Mrs. Lois Watson, Pittsburgh, and Attorney Irvis' cousin, Kenneth Vaughn of Albany, N. Y.—Wood Photo.

Alexander, Gold, Ullman Take Common Pleas Seats

In flower-bedecked City Hall courtrooms crowded with city and State officials, relatives, friends and well-wishers, former Councilman Raymond Pace Alexander, Joseph E. Gold and David J. Ullman were sworn in yesterday as Common Pleas Court judges in separate ceremonies.

Judge Alexander took the oath of office at 10 A. M. in Courtroom 443; Judge Gold was sworn in at noon in Courtroom 602, and Judge Ullman was administered the oath at 3 P. M. in Courtroom 285.

COURT'S FIRST NEGRO

Alexander, first Negro jurist to preside in Common Pleas Court here, was sworn in as a member of Court No. 4 by President Judge Francis Shunk Brown, Jr.

The new judge was named by Gov. George M. Leader to fill the vacany caused by the resignation of Lt. Gov.-elect John Morgan Davis.

Judge Alexander was presented to the court by Walter E. Alessandroni, chancellor of the Philadelphia Bar Association, who also presented the other two new judges. Remarks were made by City Council President James H. J. Tate, former Judge Davis, and Andrew M. Bradley, State Secretary of Property and Supplies.

HAILED BY TATE

Tate said as a councilman the new judge had served 250,000 persons in his district with distinction.

Also attending the ceremony were Mayor Richardson Dilworth, most of the 18 Common Pleas Court judges, Judge Alexander's wife, Sadie, an attorney, and their daughter, Rae Pace, a senior at Boston University. Their other daughter, Mrs. Melvin Frank Brown, was unable to attend.

Judge Gold was given the oath as a member of Common Pleas Court No. 6, by Judge Louis E. Levinthal, a member of that court.

'DISTINGUISHED CAREER'

The new judge, 51, and a former assistant U. S. Attorney, was appointed by Gov. Leader to succeed Judge Curtis Bok, who was elected a State Supreme Court justice in November.

In presenting Judge Gold to the court, Alessandroni said "he is well equipped by training and experience to meet the demanding requirements of this new assignment. He has had a long and distinguished career in the public service."

Judge Gold's wife, Gloria, and two of their three daughters, Nancy and Rachel, witnessed the ceremony. A third daughter, Joan, now in Texas, was unable to attend.

Judge Ullman, who was appointed to the bench only yesterday by Leader to succeed Judge Raymond MacNeille in Common Pleas Court No. 3, was sworn in by Judge Byron A. Milner.

MILNER PROMOTED

Judge Milner announced to the gathering, which included Mayor Richardson Dilworth, City Solicitor David Berger, Tate, and a number of other Common Pleas Court judges, that he had been named president judge of that court by the Governor last Friday and was "sworn in quietly."

He sat on the bench with Judge MacNeille, who retired last week after serving as jurist for 44 years, beginning in Municipal Court in 1914 and continuing in Common Pleas Court since 1924.

Judge Raymond Pace Alexander receiving a kiss from his wife, Sadie T., also a lawyer, after Judge Francis Shunk Brown, Jr., swore him in at ceremonies in Common Pleas Court 4.

Pgh. Schools Name Negro Accountant

PITTSBURGH — An unprecedented action by City Controller Edward R. Frey promoted Howard Richmond Dammond from junior auditor, in the office of the City Controller, to senior accountant, in the Controller's department of the Board of Public Education.

The salary is considerably higher than he received in the City Controller's office and the new position carries automatic salary increases annually for the next five years.

Mr. Dammond, first of his race to become a Senior Accountant for the School Board, was born and educated in Pittsburgh.

FROM 1934 TO 1946, he was employed in the Accounting Division of the War Department.

He joined the staff of the City Controller in 1953 as a Junior Traveling Auditor. The present promotion was initiated solely by City Controller Edward R. Frey in a letter of recommendation to H. H. Rothrock, secretary and business manager of the School Board.

Vote of Confidence for Alexander

Philly Judge Gets Boost

PHILADELPHIA—A little over four months ago 1,403 members of the Philadelphia Bar Association won a 339 majority in voting that Common Pleas Court Judge Raymond Pace Alexander, first Negro appointed in the Commonwealth's history, was "not qualified" to hold his job.

Alexander

Last Tuesday, at the polls, 114,000 Democrats and Republicans combined rolled up an overwhelming vote of victory and confidence.

Alexander's own Democratic cohorts delivered him an awesome 80,633 votes, while beside his name on the Republican side, 34,153 levers were pulled down in his favor.

The vote marked an all-out repudiation of the bar association plebiscite that was unprecedented in its attack on a public official, and served to bolster the indisputable public opinion of Alexander's "qualifications."

■

THE BAR association also drew severe criticism from State Supreme Court Justice Musmanno, who demanded an "apology" from the association and suggested that it rescind its own findings under the cloudy aspects of the vote.

The association had voted 1,403 against Alexander, 1,066 feeling that he was qualified, and approximately 4,100 ballots were mailed to member-lawyers.

Th now firmly entrenched Alexander, former 5th District Councilman, was flooded with letters vowing support following the association's bombshell and civic, neighborhood organizations and churches rallied together in a concerted pledge to roll up a vote of confidence in the May 19 election. The results are unquestioned.

Judge Alexander is scheduled to receive a plaque from The Courier on the opening night of the eighth annual Courier Home Service Fair, June 9-10-11. On subsequent nights, a plaque will also be awarded to Municipal Court Judges Herbert E. Millen and Theodore O. Spaulding.

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PHILIPPINES

P. 13. Dat. 5-2-59
Pittsburgh, Pa.

Alvin M. RUCKER

Courier

DISTINGUISHED CAREER GOVERNMENT OFFICIAL. CURRENTLY SERVING AS MANPOWER ADVISOR, FOREIGN OPERATIONS ADMINISTRATION MISSION TO THE PHILIPPINES. HAS SERVED AS STAFF CONSULTANT TO THE PRESIDENT'S COMMITTEE ON GOVERNMENT CONTRACTS; MANPOWER SPECIALIST, HUMAN RESOURCES OFFICE, NATIONAL SECURITY RESOURCES BOARD; EXPERT AND SUPERVISOR OF TECHNICAL OPERATIONS MANPOWER DIVISION, I.L.O., GENEVA SWITZERLAND; TERRITORIAL REPRESENTATIVE OF U.S. SEC. OF LABOR IN PUERTO RICO AND THE VIRGIN ISLANDS; AND NUMEROUS OTHER IMPORTANT GOVERNMENT POSITIONS. MR. RUCKER HAS AUTHORED SEVERAL PUBLICATIONS HAVING TO DO WITH HIS WORK.

Milai

Joseph Ray Has New FHA Post

WASHINGTON — Housing Administrator Norman P. Mason has announced the appointment of Joseph Ray, Sr., of Louisville, Ky., to the newly created post of assistant to the administrator for youth fitness.

Ray has been serving as racial [illegible]rator's office since 1953.

Mason said that Ray's new appointment is designed to put the agency's full strength and support behind the work of the President's Committee on Youth Fitness.

Hays Named To TVA Post

WASHINGTON (AP)—President Eisenhower Wednesday selected Brooks Hays, former Arkansas congressman to be a member of the board of directors of the Tennessee Valley Authority.

Hays, a Democrat and central figure in the Little Rock school integration dispute, was defeated for re-election to Congress in a write-in campaign staged by Dale Alford, also a Democrat. Alford, whose right to hold the seat is still under question, is an ardent racial segregationist.

Hays, who had served eight terms in Congress, is regarded as a moderate on school integration.

Hays was chosen to fill out the remainder of the TVA term of Frank J. Welch, who resigned to return to the University of Kentucky. This term expires May 18, 1960. The post pays $20,000 a year.

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TEXAS

Mrs White To Take Oath; A Milestone In Houston History

To 1st Meet

HOUSTON — Houston is awaiting the milestone school board meeting at 7:30 p m Monday, Jan 12, when the city will see its first Negro, Mrs Chas E White take oath of office as a trustee on the seven man panel.

Mrs White was elected to the Houston School Board in the Nov 4 General Election, along with Mrs H W Cullen and Dr W W Kemmerer the latter who was re-elected.

Houston's electorate from all parts of the city voted in favor of Mrs White, the election attracting both national and international attention due to the fact that voters of both races favored the Negro.

The regular meetings of the Houston Schol Board are conducted on the second floor of the Administration Building, corner of Caroline and San Jacinto, and are opened to the constituents of the Houston Independent School District and other visitors.

Regular meetings of the school board are also televised over KUHT Channel 8 beginning at 7:30 p m.

St Louis, Mo, which has had Negroes appointed to its school board, but has not been able to successfully elect one to the board, invited Mrs White to visit, where she was a guest on a television show and was also guest of the superintendent of schools, in addition to other groups.

Mrs White received a ton of messages from over the nation, congratulating her on being elected to the Houston board.

MRS CHARLES WHITE

Dr. George To Be Women's Day Speaker At First Baptist Church, 8th Avenue North

PRESIDENT DWIGHT D. EISENHOWER AND DR. ZELMA WATSON GEORGE at the White House following Dr. George's report to the President on her six-months world lecture tour sponsored by the U. S. Department of State. Dr. George will be Women's Day speaker at First Baptist Church, Eighth Avenue North, Sunday, October 18.

Dr. Zelma Watson George, recently returned from a State Department sponsored world lecture, will be "Woman's Day" speaker Sunday morning, October 18, at First Baptist Church, Eighth Avenue North.

The theme for the day's services is "Christian Women Building Today for a Better Tomorrow." Mrs. William H. Fort, Women's Day Chairman, will introduce Dr. George. Beginning the first week in September the women of the church have led special weekly prayer services as a prelude to this special day of worship.

Dr. George, who for a number of years was Dean of Women and Director of Personnel Administration at Tenn., A&I. State University, is one of the country's most fascinating women. She is an educator, lecturer, singer, actor, and housewife. Upon her return to the United States the latter part of the summer, she reported directly to President Eisenhower and a news conference followed on her six month world tour. Traveling under the auspices of the American Specialists Division, International Educational Exchange Services of the U. S. Department of State, she spent three months in Asia and three months in Finland, Italy, France and Ghana.

A member of the President's committee to plan the 1960 White House Conference on Children and Youth, Dr. George was appointed by Governor O'Neill to the Ohio White House Conference Committee, and to the Greater Cleveland Committee by the State Chairman Harry T. Sealy.

This week she is participating as a speaker in the International Music Conference sponsored by the President' Music Committee of the People to People Program wihch is in session at Hotel Biltmore in New York City.

Dr. George is married to Clayborne George, attorney and President of the Civil Service Commission of Cleveland, O. She earned her first degree at the University of Chicago, and her two graduate degrees from New York University. For two years she was a Rockefeller Foundation research fellow.

In addition to the recognition Dr. George has received as a lecturer in this country and abroad, she is an accomplished musician. In 1949 she played the title role in "The Medium," and opera by Gian Carlo Menotti at Karamu Theater in Cleveland, Ohio; and later was presented by the composer in the same role with the original cast in a revival on Broadway. The opera ran for 13 weeks on Broadway although it was schedule for only a four-week run. Since then Dr. George has starred in another Menotti opera, "The Consul," at the Cleveland Playhouse. During the Spring of 1955 she sang the role of Mrs Peachum in Kurt Weil's "Three Penny Opera" at the Karamus

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U.S. FOREIGN SERVICES

Former Morris Brown Man, Now Diplomat, Visits City

A native Philadelphian, just returned from Djakarta, Indonesia and on route to a city in Austria for another diplomatic mission shortly, stopped in Atlanta to visit friends for several days this week.

James R. Todd, along with his wife and two children, stopped in Atlanta for a few days to visit Mrs. Nellie H. Hannon and Miss Mary Ruth Harris and their families, at 227 West Lake Dr., N. W., before dashing off to Austria again in connection with his high - level activities with the U. S. Foreign Services.

Todd, a former chemistry master at Atlanta's Morris Brown College, is beginning his 15th year as a career man in the diplomatic service. He has worked his way up from the ranks of government employees to become the Supervisor of communications with a staff of approximately 35 people under his immediate command wherever he goes.

Todd declined to described the exact nature of his job in the communications area, saying only that his activities were not quite "top secret" but were definitely "closely guarded."

The visiting diplomat spends ten months out of each year, in varied assigned areas of the world where help and knowledge in his particular field is most needed. It therefore becomes necessary for Todd to crowd all business and visits with friends in the short two months he is able to spend in this country.

When asked if business or friends brought him to Atlanta, Todd replied that it was not business and that he considered his hostess "more like relatives than just friends."

The ordeal of the strenuous work demanded of all foreign service workers is perhaps made slightly easier for Todd because he is always accompanied by his wife and their two children whereever a call for assistance demands his attention.

The career of Todd has apparently blossomed since 1945 when he first joined the foreign service staff under the Truman administration. Almost fifteen years later, he is a top man in the vital area of communication at strategic foreign points.

Today, Todd and his family are scheduled to say goodbye to their friends in Atlanta until perhaps another whole year. A deserved rest awaits him at his home in Philadelphia for a while, and then on to Austria for a new challenge.

Todd gave a slight smile when he was asked how he managed to land a job with the foreign service and then later mused that he "just applied for the job and got it." Perhaps his modesty was showing because it is generally known that it takes more than an application to land a job with any type of diplomatic agency.

PARIS USIS HEAR—When the U. S. Information Service opened its fifth Youth Cultural center on the Paris Left Bank in November, 1957, selected as the center's first director was O. Rudolph Aggrey, 32-year-old native of Salisbury, N. C., Hampton institute and Syracuse university graduate, who is the fourth and last child of the late Dr. E. Kwegyir Aggrey, co-founder of Achimota teacher-training college in Ghana known as the "father of African Education." An eight-year foreign service careerist, young Aggrey, who speaks French fluently, coordinates a varied program of lectures, concerts, motion pictures and exhibits which attracts an average of nearly 4,000 persons weekly to the busy center in the heart of Paris' Latin Quarter. —(ANPP)

Chicagoan In Key ICA Liberian Post

Chicago Defender

Sets Up Accounting System At Institute

Chicago, Ill.
Dat. 10-24-59
P. 20

MONROVIA, Liberia — James E. Stamps, jr., of Chicago is presently on home leave from his post in Liberia, where he has been serving with the International Cooperation Administration.

Stamps has spent the past two years in Liberia as administrative assistant to the chief educational adviser at Booker Washington Institute located at Kakata, some 45 miles from Liberia's capital city, Monrovia.

He was accompanied on his assignment by his wife, the former Beulah Battley of Newport News, Va., and their young son, now three years of age.

FOUNDED IN 1928

Begun in 1928 as a private school chartered by the Republic of Liberia, Booker Washington Institute was transferred to the Liberian Government in 1953 to become a vocational boarding school. A university contract was signed in 1954 between the International Cooperation Administration and the Prairie View Agricultural and Mechanical college, Prairie View, Tex., to develop a modern vocational education school and American technicians were assigned to the staff of the Institute.

The new program of vocational education at Booker Washington is one of the projects of Liberia's President William Tubman's administration to accelerate the development of the nation's human and natural potential. The institute has been charged with the responsibility of training the future builders of Liberia mechanics, farmers, home economists, businessmen, secretaries, artisans and homemakers.

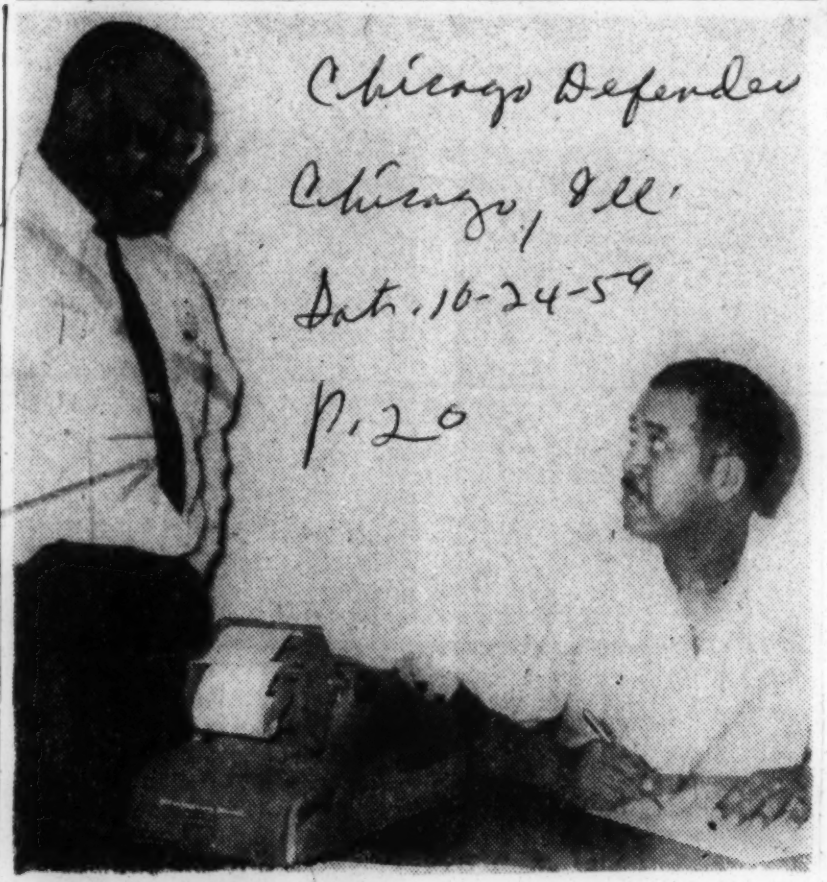
As one of a staff of 26 Americans assigned to the Institute, Stamps was in charge of the accounting system of the Institute, which included keeping the records for this expanding program, making up the monthly payroll, preparing purchase order and vouchers, procuring materials and preparing budgets.

ADVISED BUSINESS MANAGER

He also advised and instructed the business manager of the Institute in proper procedures of institutional management. In establishing a cost of living index for the Kakata area, Stamps directed a survey of prices and availbility of food stuffs, medicl facilities, transportation, housing, recreation facilities, household items and clothing.

The son of Mr. and Mrs. J. E. Stamps, 6748 St. Lawrence ave., Chicago, Stamps is a graduate of Hampton Institute, where he received his B. S. degree in business administration.

He has done graduate study at New York university and the University of Texas and served as accountant at Prairie View A. & M. college prior to his assignment with the U.S. Mutual Security program. Stamps plans to return to Liberia to establish the institutional accounting system at B.W.I which he introduced previously.



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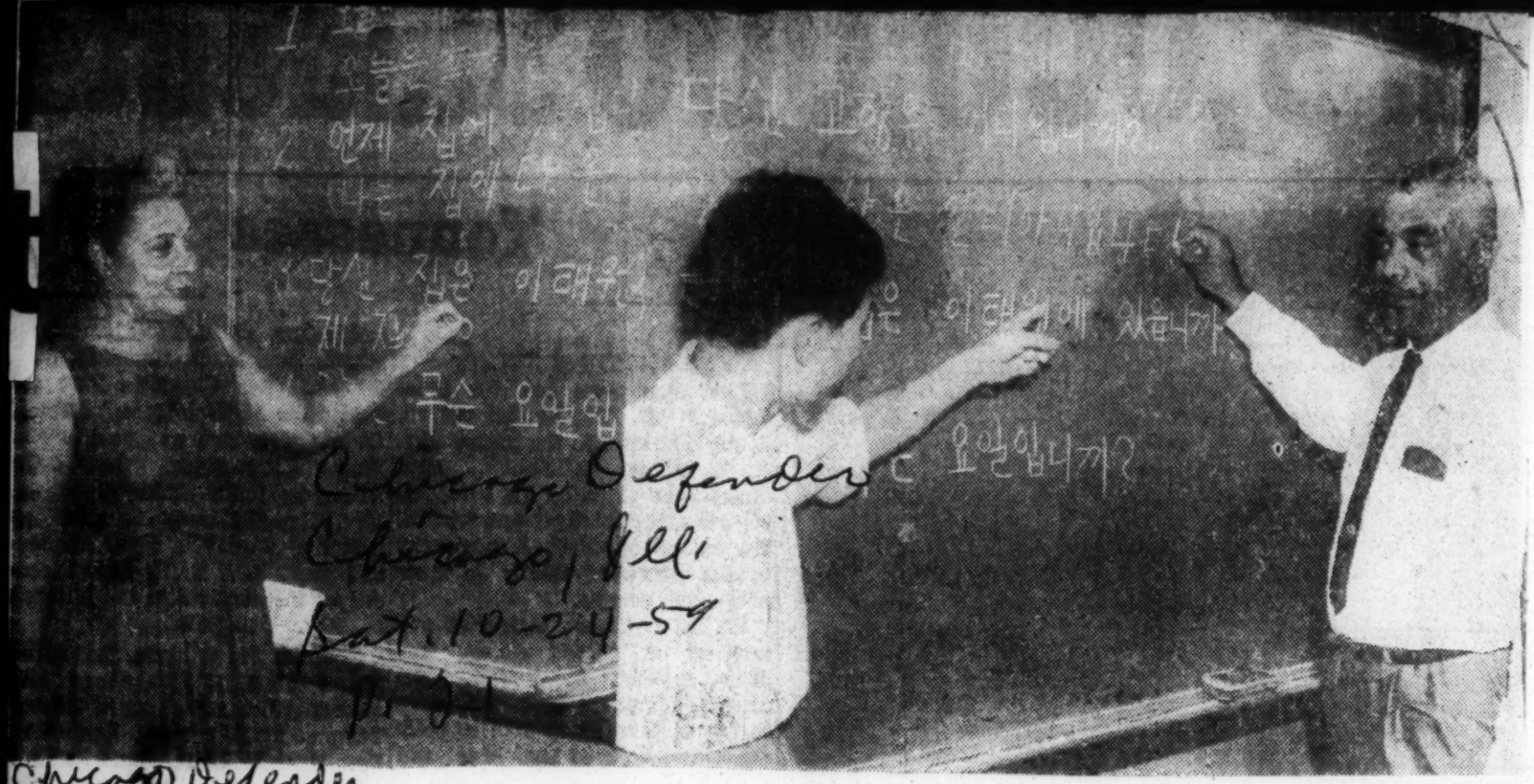
JAMES E. STAMPS jr. (right) talks with an associate at his desk at Booker Washington Institute, Kakata, Liberia, where he served as assistant to the chief education advisor under a contract with the International Cooperation Administration.



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KOREAN right and Korean left is the very unique demonstration being shown a Korean instructor at Yonsei university in Seoul by Arthur and Valaria Lee McCaw, both assigned to a U. S. Mission of the international Cooperation Administration. The couple recently completed 80 hours of class work in four weeks as part of the Administration's program to familiarize its employees with local languages. McCaw was formerly a member of the Douglas County Tax Appeal board in Omaha and is now finance and program officer in the U. S. technical assistance mission. Mrs. McCaw, a former Omaha school teacher, is a graphics arts advisor in the mission. Their home address is 1712 Sprague st., Omaha, Neb.

Ike To Name Dr. Clement to USO Position

Constitution Washington Bureau

WASHINGTON, President Eisenhower said Thursday he plans to name Dr. Rufus E. Clement, president of Atlanta University, to the United Services Organization Corporation.

The President appointed James Van Alen of Newport, R.I., to the corporation Wednesday. Harvey S. Firestone, president of the Firestone Tire and Rubber Co., and Frank M. Folsom, chairman of the executive committee of the board of the Radio Corporation of America, were reappointed to the corporation.

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STATE DEPARTMENT
U.S. SPECIALIST IN EDUCATIONAL EXCHANGE

Terms Nation 'Color Conscious'

Indians Don't Want to Be Identified With Negroes, Says Hampton's Prexy

By CHESTER HIGGINS

DETROIT — While Indians (East) are "philosophically" interested in the plight of the Negro in the USA, "they would resent being identified with them, as such."

This is the view of Dr. Alonzo G. Moron (pronounced "Morone"), president of Hampton Institute (Va.), who has just returned from a two-month tour of India under State Department sponsorship. He was asked to go as a U.S. specialist in educational exchange.

• "Sure," he said, "the Indians are interested in Negro treatment here and in South Africa, but I got the impression they would resent being identified as such with them."

"I found, however, a spirit of friendliness toward the United States over there. Everybody seemed to have an intent desire to know more about life in the U.S. The question period following all my lectures was always the longest.

• "I spoke at 17 colleges, before bar associations, Rotary Clubs and welfare organizations. They all seemed to know about the Little Rock school crisis; the "kissing case" in N. C., and about the man they wanted to send to death for allegedly robbing an elderly white woman of $1.95.

"They have all kinds of minorities in India," he continued. "Religious, racial, lingual. Do you know they have 76 languages in that country? I told them that I was well-qualified to talk about minorities since I represent in my own person—Jewish, Negro, Spanish, foreign-born (he was born in the Virgin Islands) and lightskin. He said the Indians "are highly color-conscious."

Moron travelled through New Delhi, Bombay, Bangalore, Kerala (the only Communist state in the country, Madra, Orissa, Calcutta.

■

PROBLEMS STILL plaguing the Indian nation are low standard of living (the per capita income is $70 per year); rising birthrate "in a nation whose population is rapidly approaching 400 million"; slow industrial expansion; little cooperative farming.

He said conditions, however, "are improving." They opened three new steel plants last year, financed by the German, Russians and Americans."

In a 12-year period, he continued, "the U. S. has spent one billion, seven hundred million dollars, or about $147 million yearly in foreign aid to India."

"The State Department did not instruct me on what to say at any time," he said. "They only asked that I submit a list of topics on which I wanted to speak. These were sent ahead to the universities who, in turn, selected the ones they wanted me to speak on.

• "The State Department did give me a briefing on the political situation over there as well as on foreign aid. But I was never told what to say. We are asked to make these lecture tours as citizens, not as Government employes," he added.

Dr. Moron was in Detroit in connection with the Negro College Fund drive.

DR. ALONZO G. MORON
... there is color consciousness

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U.S. INFORMATION AGENCY

Charles Trout is named to USIA advisory panel

Afro-American Baltimore, Md
Sat. 6-6-59

WASHINGTON

The U.S. Information Agency Monday announced the appointment, of a 16 - member panel of public relations executives on whom it can call for advise on how to meet specific public opinion problems affecting the United States abroad.

Establishment of the "panel on public relations policies and techniques" was forecast last November by George V. Allen, USIA director, at the Public Relations Society of America's international breakfast in NYC.

The panel will be comparable to the Broadcast Advisory Committee and the Advisory Committee on Cultural Information, which now offer guidance to USIA, but will operate in a somewhat different manner.

* * *

ACTION was taken following a one - year study by a special committee of the Public Relations Society of America led by John K. Murphy, manager of Community Relations of Pennsylvania Railroad Co. The committee concluded that such a panel could help the U.S. overseas.

The 16 - member group will be split into smaller working committees to handle special projects, and may also from time to time call on specialists from outside the panel to give aid.

BESIDES MR. MURPHY, the panel members are James W. Armsey, associate program director, Education Division, the Ford Foundation; H. Walton Cloke, coordinator, public relations, Aksier Industries Corp.; George M. Crowson, assistant to the president, Illinois Central Railroad; Kalman B. Druck, vice president, Carl Byoir and Associates, Inc.; William A. Durbin, manager of public relations, American Cyanamid Co.; Robert E. Fitzgibbon, manager, public relations department, California Texas Oil Co. Ltd.; John W. Hill, chairman of the board, Hill and Knowlton Inc.; Caroline Hood, director of public relations, Rockefeller Center, Inc.; Howard P. Hudson, director of information and public relations consultant, National Planning Association; Kerryn King, vice president, Texaco; Ed Lipscomb, director of Public relations, National Cotton Council of America; Kidder Meade, director of public relations, Columbia Broadcasting System; Robert Ramspeck, vice president, Eastern Air Lines, Inc.; Charles E. Trout, director of public relations, Tuskegee Institute; Carroll R. West,

Zelma George On State Department "World Tour"

CHICAGO. — (ANP) — Mrs. Zelma Watson George, actress-singer-social worker who achieved national fame in 1949 when she played the title role in Gian Carlo Menotti's opera "The Medium," passed through the city last Friday enroute to the West Coast to embark upon a six-month U. S. State Department-sponsored 'round-the-world-air tour.

She left the West Coast Saturday by plane for Tokyo, Japan. From there, she goes to Singapore, to represent the United States at the Pan Pacific Southeast Asia Women's conference. Theme of the conference is "Civic Rights and Responsibilities." She will be the principal speaker at the open public meeting of the women's group, and will chair a workshop on the theme "Economic Status of Women."

While in Singapore, she will present to the host organization a group of exhibits selected and prepared by seven national women's organizations in the United States. These organizations include the League of Women voters, American Association of University Women, YWCA, Women's Bureau of Public Welfare—of which Mrs. Alice Leopold is president—National Council of Negro Women, PTA and Girl Scouts.

LAST STOP, GHANA

Following the conference, Mrs. George will continue her serial tour, touching upon Malaya, Hong Kong, Formosa (Taiwan), the Philippine Islands, and Thailand (Siam). From Bangkok, Thailand, she goes to Copenhagen, Denmark; and to Finland for a two-week stay at the University of Helsinki. Then it will be three weeks in Italy, three in Paris, France, followed by a tour of West Africa—principally Nigeria and Ghana

The new state of Ghana was made the last stop on her schedule because she is hoping her husband, Atty Claiborne George, member of the Cleveland (O.) Civil Service Commission and prominent GOP figure, will be albe to meet her there.

According to Mrs. George, her husband said if he could make the trip, he would want to visit and see Ghana, hence she made that the last stop on her tour.

DR. ALONZO MORTON TO INDIA ON U. S. STATE DEPT. LECTURE TOUR

Hampton Institute, Va., Jan. 6.—A Virginia college president, Dr. Alonzo G. Moron of Hampton Institute, has been chosen by the U. S. State Department to interpret this country to India through a two-month lecture and discussion tour of the Asian republic.

Dr. Moron is scheduled to depart New York's Idlewild Airport Tuesday evening, January 6 and will spend the period from January 8 to 22 in the New Delhi area. There he will be the guest of the American ambassador to India, Ellsworth Bunker.

Bombay, Madras and Calcutta are other operating points from which he will journey to speak to groups of scholars and educators, government and business leaders and other groups. He will leave India March 4.

The peregrinating president will speak as a "U. S. specialist," under the auspices of the state department's leaders and specialists division of the International Education Exchange Activities.

Among the topics he will discuss is the subject of higher education in America, for which he will draw on his background of ten years as a college president, membership on the executive committee of the Association for Higher Education and his work with the American Council on Education.

Other topics on which he will speak include: Problems and Progress—the Negro in the United States; Federalism vs. States Rights in the United States; the Ultimate Supremacy of Law; Abraham Lincoln — Uncommon Defender of the Common Man; and Voluntary Associations in American Culture—the Role of Voluntary Organizations in Supplementing Welfare Services Provided by Governments.

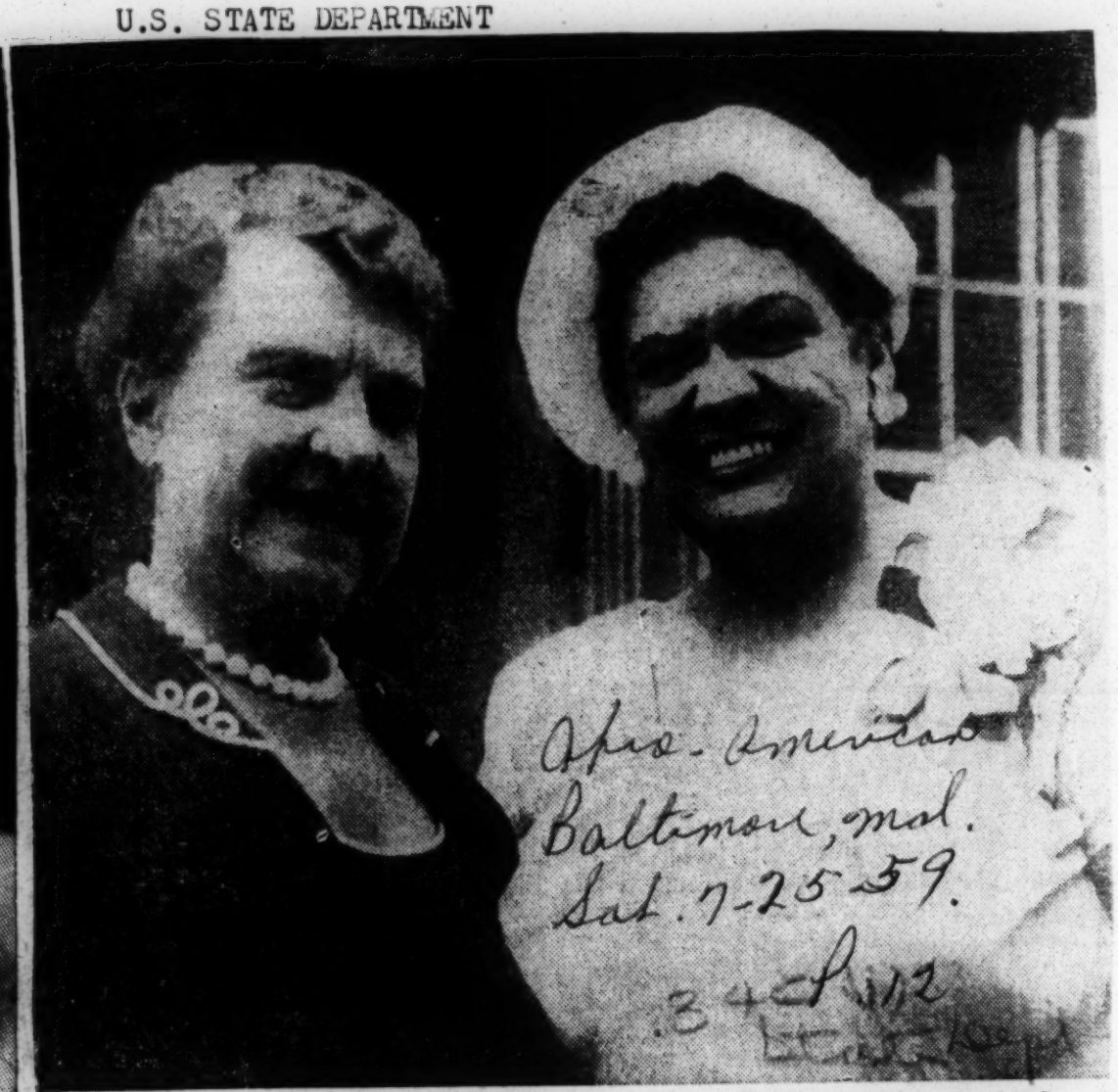
Dr. Moron indicated that he hopes to contribute to communication between this country and India through publication of a series of interpretative articles after his return. He also hopes to increase contacts through excange of students and faculty members.

Two of Hampton Institute's faculty members are currently in India, one with the Indian Cooperative League and another with the I. C. A. In the past ten years, Hampton Institute has employed three faculty members from India.

This is Dr. Moron's second assignment from the State Department. His first appointment was to head the U. S. delegation to the West Indies conference in Jamaica, 1952, which marked the first time a Negro had been chosen to head a delegation from this country to an international conference.

Dr. Moron was last abroad on an extended basis in 1956 when he was co-chairman of an eight-week study tour of Europe and the Middle East. This group was sponsored by the American Christian Palestine Committee and was composed of representatives from that organization and from the National Conference of Christians and Jews.

STATE DEPARTMENT WORLD TRAVELLER — Mrs. Zelma Watson George, wife of Atty. Claiborne George of Cleveland, Ohio, and a prominent social worker, singer and actress, began the New Year with a six-month, U. S. State Department-sponsored "round-the-world" air tour. First stop on her trip was Tokyo, Japan. From there, she went to Singapore to represent the U. S. at the Pan Pacific Southeast Asia Women's conference. After touching other spots in the Pacific, Mrs. George goes to Denmark, Finland, Italy, France, and winds up by visiting West Africa — principally Nigeria and Ghana. — (ANP Photo)



DR. ZELMA W. GEORGE of Cleveland, Ohio, right, and Congressman Frances P. Bolton, also of Cleveland, called upon President Eisenhower, last week. Mrs. George had just returned from a trip around the world to meet and talk with women leaders in various countries. She reported to the President on contacts in 13 cities in Italy, seven in France, and in Ghana.

Mrs. George Tells Ike About 6-Month World Tour

Daily World Atlanta, Ga.
Sunday 8-28-59

WASHINGTON, D. C. (NNPA)—Mrs. Zelma Watson George of Cleveland, Ohio, accompanied by Representative Frances P. Bolton, Ohio Republican, called upon President Eisenhower Wednesday morning to tell him about her six-month world tour on a State Department grant.

She had a "wonderful, chat" with Mr. Eisenhower, Mrs. George told reporters at the White House.

Mrs. Bolton said the President and Mrs. George "swapped yarns." Mrs. George said the President told one story and 'I told him one back."

Mrs. George, the wife of Clayborne George, a Cleveland attorney and member of the Cleveland Civil Service Commission, visited 13 countries in Asia, Europe and Africa.

She said she spent three months in Asia. Her travel included Japan. Her first major assignment, she said, was in Singapore where she represented the United States at the Pan-Pacific and Southeast Asia Women's Conference. There she gave an address on "Womanpower in the United States" and chaired a workshop on the economic status of women.

Mrs. George said she visited eight states in the Federation of Malaya, Hongkong, Taiwan, the Philippine Islands, Thailand, and Laos. From Bangkok she went to Copenhagen and Helsinki, visited 13 cities in Italy and seven in France, and then went to Ghana

PROBLEMS, PROGRESS

Mrs. George said she spoke in four big areas on the role of women in today's world, some problems and progress in race relations in the United States, and the sociolgy of the spirituals, and lectured on specific colored persons in the life of Abraham Lin-

she was sponsored by a number has such great interest.
of different kinds of organizations
in the countries visited, she said.
the report of her trip.
said he was happy to have
her identify as part of the peo-
ple-to-people program in which he

IKE, ZELMA EXCHANGE JOKES

WASHINGTON (ANP) — Mrs. Zelma Watson George, Cleveland, Ohio, was all smiles as she left the private office of President Eisenhower last Wednesday, after reporting on her recent trip around the world.

"We had a wonderful chat," she said in reply to a reporter's question on what she and the President talked abut.

Rep. Frances P. Bolton (R., Ohio), who accompanied her to the White House, stated with a big smile:

"They are both wonderful story tellers. They chatted and exchanged jokes."

Neither would give the reporters even an inkling of what the President joked about.

"You know you can't quote the President," the Ohio representative said.

On her six-month tour abroad, Mrs. George said she visited 13 countries and many cities. She made speeches in every country, but her first major assignment was in Singapore, where she addressed the Pan Pacific and South East Asia Women's conference. She spoke on "Woman Power in the United States."

Later she conducted a workshop on the "Economic Status of Women in the World."

Mrs. George toured the various countries as an international education exchange specialist. But her visit was always on a "person to person" basis, which carried her into the rural areas, as well as to the big cities.

She said her speeches centered around four subjects: "The Role of Women," "Problems and Progress Made in Race Relations in the United States," "History of Negro Spirituals,"—and since this is Lincoln's sesquicentennial year — "Specific Negroes Important in the Life of Lincoln."

Almost everywhere she spoke, the question was raised in the audience about race relations in the United States. She admitted that things had no always been "to our liking" but progress has been made. She said she used the district of Columbia as an example.

Macon Berryman Gets

Virgin Islands Post

Macon M. Berryman, a 1933 graduate of the Atlanta School of Social Work, was appointed Commissioner of Social Welfare in the Virgin Islands on January 1 of this year. He had been serving as acting commissioner since September 25, 1958. For eight years he has been Director of the Insular Division of Child Welfare.

Mr. Berryman's appointment received editorial commendation in the Virgin Islands Home Journal which commented on his vigor sympathy and competence and saw the cabinet strengthened by the appointment.

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VIRGINIA

Negro Slated for Seat As Arlington Planner

The Evening Star, D.C.
Washington, D.C.

Members of the Arlington County Board are considering the appointment of a Negro to the County Planning Commission.

Jan 11-20-54.

The appointment, to be made tomorrow, is expected to go to Lutrelle F. Parker, 35-year-old lawyer who now is vice chairman of the county's Fiscal Affairs Advisory Committee. He would be the first Negro member of the planning commission in Arlington's history.

Board Chairman David Krupsaw said that the Negro communities in Arlington "have peculiar, special problems and they deserve representation on the planning commission."

He said the county board plans to "make the Negro neighborhoods more attractive and livable" by bringing better streets, more utilities and other improvements into them.

Board members also are interested in improving the lines of communication between planners and Negro residents. Last month Negro residents in the Nauck area protested several rezonings of commercial land back to residential as proposed in a study by the planning staff. The planning commission agreed to review the proposals.

Mr. Parker, legal adviser for the Nauck Citizens Association, is a past president of the Drew-Kemper PTA and has served as a trustee of the county Community Chest.

He has a civil engineering degree from Howard University and a law degree from Georgetown University. He served as a naval officer during World War II and now is a lieutenant commander in the Naval Reserve.

Mr. Parker lives with his wife and three sons at 3024 South Eighteenth street.

34c(1) 1959

REPUBLIC OF GUINEA
WEST AFRICA

Ike Names Negro Prof Guinea Envoy

Courier Pittsburgh, Pa. 7-4-59

WASHINGTON — Living with the French language," paid off for John Howard Morrow Thursday when President Eisenhower nominated him to be the first United States ambassador to the West African Republic of Guinea.

Born in Hackensack, N.J., and a graduate of Rutgers College, the new ambassador is a brother of E. Frederic Morrow, administrative assistant in the White House.

However, Mr. Morrow's appointment did not come about because of his relationship to the White House aide.

HE HAS LONG had an interest in Romance languages, particularly French, which he studied in this country and at the Sorbonne in Paris. While teaching at Bordentown, N.J , he was called upon to serve as interpreter for French troops at Fort Dix.

Mr. Morrow spent last summer in France studying the political, social and economic problems of French West Africa.

During this period of study he had frequent contact with members of the American Embassy and thus became known to the State Department which chose him for the African post.

Mr. Morrow is 49. At the time of his appointment, he was chairman of the Department of Modern Foreign Languages at North Carolina College in Durham.

N. C. Negro Nominated For Office

New Amsterdam Age 7 M. 5-29-59

WASHINGTON (AP) — A North Carolina Negro educator, John Howard Morrow, was nominated by President Eisenhower Thursday to be this country's first ambassador to the new African Republic of Guinea.

Morrow, 49, and a native of Hackensak, N.J., was graduated from Rutgers University and holds a doctors degree from the University of the Department of Modern Foreign Languages at North Carolina College at Durham, N.C. since 1954.

He also holds a doctor's degree from the University of Pennsylvania.

Before going to North Carolina, he was head of the Department of Romance Languages at Talladega, Ala., College for nine years.

He was a member of the President's Committee on Government Security which went out of existence more than a year ago.

The Senate voted unanimously and without debate to confirm John M. Cabot as ambassador to Brazil. Cabot, a career diplomat now serving as ambassador to Colombia, takes the post relinquished by Mrs. Clare Boothe Luce after a controversy with with Sen. Wayne Morse (D-Ore).

Eisenhower accepted the resignation of Lampton Berry as ambassador to Ceylon. Berry, who has been in the post since last Oct. 10, gave health reasons.

Dr. Morrow Ohio American applauded Baltimore, Md. by Senate

Sat. 7-4-59

By LOUIS LAUTIER

WASHINGTON

The ease with which John Howard Morrow won confirmation by the Senate as the Ambasador to the newly created Republic of Guinea rasies the question of why more colored persons are not appointed to head diplomatic missions in various countries.

The Eisenhower Administration has been harshly criticized for some of its nominations to diplomatic posts.

Senator J. William Fulbright of Arkansas, chairman of the Senate Foreign Relations Committee, has suggested that the practice of making political appointments to diplomatic posts be stopped and that career foreign service officers be assigned to such posts.

Dr. Morrow has never held any government job. In 1957 he served as a member of the President's Commission on Government Security. However, since his graduation from Rutgers in 1931 he has been an educator.

* * *

BUT MEMBERS of the Foreign Relations Committee, who heard him testify, were quite impressed with his qualification. Senators Fulbright, Mike Mansfield of Montana and Frank J. Lausche of Ohio praised him highly.

Mr. Morrow not only speaks French, the official language in Guinea, but also speaks Spanish and has a reading knowledge of German and Portuguese.

In contrast, William M. Rountree, who has been appointed Ambassador to Pakistan, speaks only English. Mr. Rountree is a career foreign service officer and rose to be Assistant Secretary of State for Near Eastern and South Asian Affairs.

* * *

THE RESIGNATION of Richard L. Jones of Chicago as Ambassador to Liberia leaves Dr. Morrow as the only colored person serving in the rank of Ambassador. Mr. Jones is to be succeeded by a white man.

Clifton Wharton, a career foreign service officer, is serving as Minister to Rumania.

The diplomatic posts which colored men have held have traditionally gone to colored Liberia and Haiti. President Woodrow Wilson ended that practice of sending colored men to represent the United States in Port-au-Prince. No colored person has since been appointed to that post.

The appointment of a colored person, solely because he is colored cannot be defended.

* * *

Daily Worker Atlanta, Ga. June 7

AMBASSADOR TO GUINEA AND FAMILY — DURHAM, N. C. — Dr. John H. Morrow, former chairman of the Romance Languages Department at North Carolina College, is shown here reading of his appointment as U. S. Ambassador to Guinea. At left is Mrs. Murrow. Son John H., Jr. is in center. Not shown is daughter Jean.

BUT THERE ARE qualified colored men, like Dr. Morrow, who can ably represent the United States in a diplomatic post anywhere in the world.

Appointment of some of these men on the basis of merit ought to be made. They can serve creditably and profitably in some areas, particularly in Asia and Africa.

White Americans may not recognize it, but in many countries in Asia and Africa they are looked upon with suspicion. Their arrogance and affected racial superiority are resented.

In those countries where there are racial antipathies between white and colored peoples, there is a natural bond of sympathy and affection between the native people and colored Americans.

* * *

MOREOVER, the colored American would more likely mingle with the people and win friends for the United States, while the white American would hold himself aloof and stay within official and diplomatic circles.

Africa is of strategic importance to the United States. Her geography and natural resources are indispensable assets arrayed in support of the free world.

The importance of Africa to the United State was recognized last year when the Congress created the position of Assistant Secretary of State for African Affairs. Previously, the Bureau of African Affairs was headed by a deputy assistant secretary.

* * *

TESTIFYING BEFORE the House Foreign Affairs Committee in support of mutual security, Joseph C. Satterthwaite, the Assistant Secretary of State for African Affairs, said:

"...There is probably no area on earth today more alive with change, more politically, socially, and economically on the move than Africa. Seldom in history have such tremendour changes come to any continent as those we have seen in Africa since the end of World II.

"The pattern of the new Africa is unfolding rapidly. While we still talk of much of this vast continent of 220 million people as an uncommitted area, it is difficult for me to emphasize sufficiently the urgency of the problems we face in Africa.

"As nation after nation reaches independence—and we have seen this happen in Libya, Morocco, Tunisia, Ghana, and Guinea since World War II—almost the first concern of these new governments is the imperative need to show reasonable results in improving the standard of living of its people.

NEW AMBASSADOR — Secretary of State Christian Herter extends congratulations and best wishes to Dr. John H. Morrow Sr. after swearing him in as American Ambassador to Guinea. At the State Department for the ceremony were, from left: Jean Rowena, daughter; Dr. Morrow, John H. Morrow Jr. and Mrs. Rowena Morrow. The Morrows will leave July 16 for Guinea.

Morrow is sworn in as ambassador

WASHINGTON (NNPA)—Dr. John R. Morrow declared Monday that he will try to carry out his mission as ambassador to the newly created Republic of Guinea in the best tradition of the American Foreign Service.

Mr. Morrow spoke after he had taken the oath of office in the Ambassador's Lounge in the State Department building in the presence of Secretary of State Christian A. Herter.

Mr. Herter told Dr. Morrow that it was "a particular pleasure" to be able to call him by the title of "Mr. Ambassador."

Herter said Morrow had a very serious and important mission and that he was going to Guinea "with the full confidence of your country behind you. The President, myself and the whole Department look upon you with great interest and great pride."

"I THANK YOU, Mr. Secretary," replied Dr. Morrow, "for your kind words concerning my assumption of my new duties and for your warm expression of support.

"I can assure you that I am proud and delighted at this appointment and am looking forward with great anticipation to the work before me.

"I shall endeavor to carry out this assignment in the best tradition of our country's Foreign Service and will have before me at all times the goal of continuing good relations with this new African republic.

"All of us, I am certain, are aware of the importance of our relations with the emerging states of Africa which are proud of their independence and appear eager to take their places as members of the world community.

"While in Conakry, I shall always remember that I have the friendship and support of you and your colleagues here in the Department."

AMONG THOSE who witnessed the ceremony were Dr. Morrow's wife, the former Miss Rowena Davis of NYC; his daughter, Jean, 21, who received a master's degree in medical - social work from Fordham University School of Social Service in June;

His son, John Jr., 15, a pupil at Hillside High School in Durham, N.C.; his brother, E. Frederic Morrow, a member of the White House staff, and Mrs. Morrow, and his sister, Mrs. Nellie K. Parker, Teaneck, N.J.

Dr. Morrow and his family are scheduled to sail for Paris on July 16. They will fly from Paris to Conakry, the capital of Guinea.

Morrow Confirmed As Guinea Ambassador

WASHINGTON, D. C. — (NNPA) — The Senate Thursday confirmed the nomination of John Howard Morrow, brother of E. Frederic Morrow, a member of the White House staff, to be United States Ambassador to the newly created Republic of Guinea.

Mr. Morrow had been approved unanimously Tuesday after a hearing before the Senate Foreign Relations Committee.

After Mr. Morrow had answered questions of committee members concerning his qualifications, Senator Mike Mansfield, Montana Democrat, told him that he was "well qualified" for the position to which President Eisenhower had appointed him.

Senator Mansfield added that it was seldom that the committee got a nominee, even a career diplomat from the State Department with his facilities in languages.

"I am only sorry you are not going to a larger country where your many talents could be put to use," Senator Mansfield said. "But I still say that in view of the fact that this is one area which decided on its own to break away from France, it does have a significant importance at this time."

IMPRESSED WITH MORROW

Also impressed with Mr. Morrow's qualifications were Senators J. William Fulbright of Arkansas, committee chairman ,and Frank J. Lausche, Ohio Democrat. Lausche said he was "amazed" by the wide scope of Mr. Morrow's knowledge.

Mr. Morrow is a Phi Beta Kappa from Rutgers University. He majored in French with Latin a minor. He went to Paris to study in 1947, but has never been to Africa. French is the official language in Guinea.

In addition to French, Mr. Morrow speaks French and has a reading knowledge of German and Portuguese.

He was born in Hackensack, N. J., in February, 1910. He received his Bachelor of arts degree from Rutgers in 1931, a master of arts degree from the University of Pennsylvania in 1942, a certificat avance, University of Paris, Sorbonne, 1947, and his doctorate from the University of Pennsylvania in 1952.

Since 1931 he has been a teacher. At present he is chairman of the Department of Modern Foreign Languages at North Carolina College, Durham, N. C. He is married.

Negro Commie Who Assailed U. S. Identified As Active In Alabama

BY GENE WORTSMAN
Post-Herald Correspondent

WASHINGTON, Oct. 1—A Negro Communist who assailed the U. S. at a Red party congress in Moscow last Feb. 2 has been identified as active in Alabama affairs as long ago as 1940.

Since then he has remained a central figure in Southern racial matters.

The Senate Internal Security Subcommittee, headed by Sen. James Eastland (D., Miss.) identified the Negro as James E. Jackson, 44.

Jackson was questioned by the subcommittee in February after his return from Moscow. The testimony and subcommittee report were released yesterday.

At the hearing, Jackson would not say categorically that he would defend the United States if it were attacked by Russia.

He would not say whether he was a Communist.

Jackson appeared before the subcommittee as argumentative, seeking to lecture the Senators on his constitutional rights and his views.

"Worker" Article Published

The subcommittee published an article from the Daily Worker, published in New York on Dec. 1, 1954, in which Jackson was recognized on his 40th birthday.

"It is appropriate to recall," the article said, "that Jim Jackson and a small band of young Southerners launched the first anti-poll tax week in Birmingham, Ala., in 1940. This observance soon flowered into a national campaign which reduced the number of poll tax states from eight to five and stimulated voter registration movements among the Negro masses in every Southern state."

The article said Jackson was in Mississippi as an officer of the Southern Negro Youth Congress when the first effort was made to register Negroes there in 1946.

Message Got Across

Jackson, said the article, got his message across to Negro veterans through little slips of paper reading:

"You who laid old Hitler low,
"Don't be scared of old Bilbo;
"Just like Hitler's friend Tojo,
"Bilbo, too, has got to go!"

The article said "in addition to serving as a founder, vice president and principal organizer of the Southern Negro Youth Congress, he participated in the formation and building of the Southern Conference for Human Welfare, the Southern Regional Council, and many other movements which in an important way challenged the status quo of Negro oppression and Southern social backwardness."

The subcommittee presented Jackson's record, including articles and clippings from publications, some bearing his name as author.

He invoked the Fifth Amendment when asked to confirm his wife's published statement in 1953 that he collaborated in writing "The American Dilemma."

This was one of the psychological studies cited by the U. S. Supreme Court in 1954 in the school segregation decision.

Example 5—Under the old contract, companies could schedule vacations only between May and October. This cost them heavily in overtime, the companies say. They now want the right to schedule vacations throughout the year.

cation pay in the next year, because of a contract provision which barred such pay only if the employe "quits or is discharged." The companies want to eliminate this loophole.

Example 3 — A worker on the midnight shift who serves on a jury has been permitted to collect jury pay for two days—both before and after the night's work he missed. The companies want to change this so that "an employe shall not receive more than one such allowance for each day on which he is required to report for jury service."

Example 4—An employe's job is eliminated and he is offered a job at another plant, paying less whether he took it or not, he has been entitled in the past to severance pay. The companies now want to give him severance pay only if he gets no other job.

May Overturn The Conviction of A Carl Bradon

NEW ORLEANS, La.—

The U.S. Court of Appeals here has been asked to overturn the conviction of Carl Braden, Southern integration worker, on a charge of contempt of Congress.

Braden was sentenced to a year in prison last February for refusing to answer certain questions asked of him by a subcommittee of the House Un-American Committee in Atlanta, Ga., in July, 1958. He challenged the committee's right to ask the questions.

Five distinguished attorneys joined in filing a brief in the Appeal Court charging that the committee did not call Braden before it for a bona fide legislative purpose.

"Instead," they declare, "the committee's purpose was to interfere with his rights of free speech, association and petition under the First Amendment to the Constitution.

"More particularly, the Committee's objective was to continue to harass and expose appellant for his support of integration and civil rights, and his opposition to the Committee and to pending bills which he believed harmful to the interest of the nation."

Braden, a resident of Louisville, Ky., is a field secretary for the Southern Conference Educational Fund, a Southwide interracial organization working to end segregation and discrimination. He is also associate editor of the SCEF's newspaper, The Southern Patriot.

His attorneys are John M. Coe, Pensacola, Fla., president of the National Lawyers Guild and a member of the SCEF board of directors; Leonard B. Boudin, New York, general counsel for the Emergency Civil Liberties Committee; the Rt. Rev. C. Ewbank Tucker, Louisville, presiding bishop of the AME Zion Church and also a member of the SCEF.

Appeals Court Rules

Communist Party Must Register

WASHINGTON — (UPI) — The U.S. Court of Appeals ruled Thursday that the Communist Party must register with the government under the 1950 Subversive Activities law.

The Justice Department has been trying to win the case for about nine years.

Thursday's opinion was written by Chief Judge E. Barrett Prettyman. He was joined by Circuit Judge John A. Danaher.

Circuit Judge David L. Bazelon dissented. He urged sending the case back to the Subversive Activities Control Board for a fourth round of hearings.

The ruling will probably be appealed to the U.S. Supreme Court by the party.

On three occasions, the control board has ruled the U.S. Communist Party is under the domination of Moscow.

The law requires "Communist-action" organizations to register, open their books, and label their propaganda.

The act was the first legislation aimed at the Communist Party as an organization rather than at individual members.

In appealing the case from the board's third decision against it, the party raised numerous points dealing with specific items of testimony.

Prettyman said, "By concentrating on segments of the evidence and expanding their importance by discussion, to the exclusion of all the rest of the evidence, the party seeks to have us believe there are no other significant features in the record."

"But the facts beyond dispute are there is a Communist Party in Europe, based upon Marxism-Leninism, and in power in Soviet Russia; that our present petitioner was for years a member of the Communist International, and its separation from that organization was not accompanied by a repudiation, either of objectives or of methods."

He recalled that the party once sought to break with the international Communist line but was severely brought back into line and several U.S. leaders expelled.

Since then, Prettyman said, the party "has never differed from the program and policy of the Communist Party abroad and has always adhered to that program and policy even in sharp changes."

34d 1959

COMMUNIST
UN-AMERICAN ACTIVITIES

UPHOLDS RIGHT OF PROBERS TO QUIZ TEACHERS

Daily Tribune Chicago Ill. June 6-1959 p. 8-3

Court Denies Freedom Is Jeopardized

Washington, June 8 (UPI)—The Supreme court ruled Monday that the House committee on un-American activities has the right to investigate communism in the educational field and can question teachers without abridging academic freedom.

It upholds 5 to 4 the contempt conviction of Lloyd Barenblatt, a former Vassar college instructor.

Barenblatt had challenged the authority of the committee to take any testimony whatever on the ground that the charter given it by Congress was unconstitutionally vague.

But Justice John M. Harlan, speaking for the majority, said: "In pursuance of its legislative concerns in the domain of 'national security' the House has clothed the un-American activities committee with pervasive authority to investigate communist activities in this country."

Always on Alert

The court, Harlan said, "will always be on the alert against intrusion by Congress" into the constitutionally protected domain of "academic teaching-freedom and its corollary learning-freedom."

"But this does not mean that the Congress is precluded from interrogating a witness merely because he is a teacher," the opinion went on. "An educational institution is not a constitutional sanctuary from inquiry into matters that may otherwise be within the constitutional legislative domain merely for the reason that inquiry is made of someone within its walls."

Other members of the majority were Justices Felix Frankfurter, Tom C. Clark, Charles E. Whittaker, and Potter Stewart.

The decision was a kind of sequel to the court's reversal the contempt conviction of John T. Watkins, Illinois labor leader, in 1957.

Watkins Not Parallel

In the Watkins case, Chief Justice Earl Warren criticized the resolution which established the committee. He said a witness could not be convicted of contempt unless he has been informed as to the committee's legislative purpose and how the questions addressed to him relate to it.

Barenblatt similarly argued that the questions addressed to him were not pertinent. But Harlan said Barnblatt "was well aware of the subcommittee's authority and purpose to question him as it did."

Justice Hugo L. Black wrote a long dissent, in which Chief Justice Warren and Justice William O. Douglas joined. Justice William J. Brennan Jr. dissented separately.

Court Blinds Eyes

The dissenters said: "The court today fails to see what is her for all to see—that exposure and punishment is the aim of this committee and the reason for its existence."

"To deny this aim is to ignore the committee's own claims and the reports it has issued ever since it was established," Black wrote.

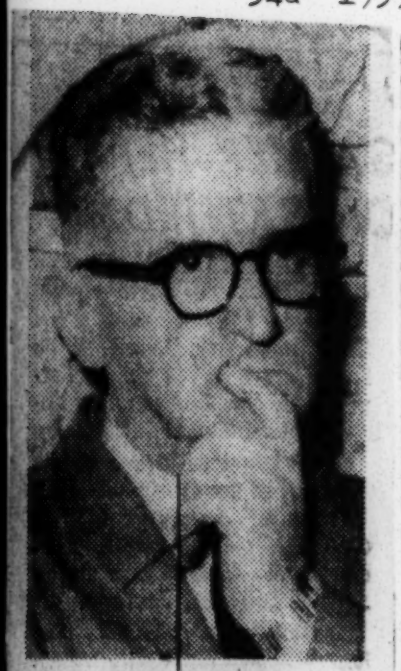
In another case the court, saying it did not "strip the states of the right to protect themselves" in reversion of the Pennsylvania sedition conviction of Steve Nelson, a communist,, upheld the contempt conviction of Wilard Uphas, executive director of World Fellowship, Inc., who challenged New Hampshire's anti-subversive law.

Justice Clrak sjoke for the majority in the 5 to 4 decision.

Wouldn't Produce Lists

Uphaus' conviction stemmed from his refusal to produce the names of 300 or more guests at the fellowship's camp in Albany during 1954 and 1955 as well as correspondence with about 20 guest lecturers.

Uphaus denied being a Communist or knowing any.



CARL BRADEN
Listens At Probe

Jackson Daily News
Jackson, Miss.
Nov 11-20-59

Matthews Once Pink Pro-Mixer

WASHINGTON (UPI) — J. B. Matthews, anti-subversive witness in Mississippi, is no newcomer to controversy. . . a 66-year-old one-time fellow traveler and integrationist. . . became an ardent anti-Communist. . . often in the headlines as former aide to congressional committees.

A native of Nashville, Tenn., served as executive director of the Senate Permanent Investigating Subcommittee in 1953. . . set off bombshell then by writing in American Mercury Magazine that "largest single group supporting the Communist apparatus in the United States is composed of protestant clergy."

Article led to a bitter fight which pitted the late Sen. Joseph McCarthy, chairman of the subcommittee, against other members of Senate group. . . . Matthews finally resigned.

WAS MISSIONARY

Matthews started out as a protestant clergyman whose zeal led him to a mission in Java. . . His enthusiasm switched from evangelism to "interacialism". . . spent four years in Nashville where he "proposed and supported little programs for Negro and white children to get better acquainted."

Shortly before depression, he joined the fellowship of reconciliation, a pacifist organization. . . . that started radical period of his life. . . . over four years span, he was active in 28 different front organizations, including Friends of the Soviet Union.

Matthews later detailed his activities during those years in a book called "Odyssey of A Fellow Traveler". . . . In 1934, Matthews disavowed Communist causes. By 1938, he was a prominent witness before the House Committee on Un-American Activities. . . . later became a committee researcher.

He continued as a congressional anti-Communist committee figure until the episode under McCarthy ended his Capitol Hill career. . . . since has testified before several state committees on subversion, including one in Little Rock, Ark.

Braden Hears Red Charges

Attends Hearing In Jackson As Committee Digs Into Subversive Actions

BY KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Nov. 19.—A former Kentucky newspaperman, accused in 1957 testimony before the Senate internal security subcommittee in Memphis with being a Communist, sat in Thursday's Mississippi Legislative Committee investigation of subversive activities and heard the accusation read into its record.

Later Carl Braden, field secretary of the Southern Conference Educational Fund of New Orleans and a surprise attendant at the second and final day's hearing, told newsmen he had no comment.

"I do not consider what took place here as being worthy of comment," said Mr. Braden. He said he attended the hearing in the capacity as correspondent for the Fund's newspaper, the Southern Patriot, published at Nashville, Tenn.

No More Open Meetings

After the day's hearing, Senator Mayes McGehee of Meadville, chairman of the Standing Legislative Investigating Committee, said no further open meetings are scheduled. The reported plan of the committee is to use testimony in the two days hearing as the basis for recommended legislation on subversion to the January session of the Legislature.

Committee members denied they plan any effort to outlaw any of the organizations listed in the testimony, but planned to deal with the overall subversion subject in another manner.

The committee was appraised of Mr. Braden's presence in the House chamber. No reference was made to his presence.

Mr. Braden, formerly of Louisville, Ky., and under an appealed one year sentence for contempt of the House Un-American Activities Committee, said he read of the Mississippi hearing and "stopped by from New Orleans to report it for my newspaper."

Appreciable Support

He admitted the Fund did not have considerable support in Mississippi but that it was "appreciable." He said a list of Mississippians connected with the Fund, labeled in earlier testimony as being an organization communists use as a front or either infiltrate to control its policies, was among exhibits presented to the Legislative Committee.

Mr. Braden, told newsmen after the hearing ended that his organization's special role "is to try and convince white people that segregation is immoral unjust and unconstitutional." He said it is supported by "voluntary contributions from those looking for a peaceful solution to the integration problem."

"When there are such investigations as this one we get more contributions," he said. "We are working with people interested in integration."

Earlier testimony by Dr. J. B. Matthews of New York City, who admitted association with Communist front groups prior to 1934, labeled the Southern Conference Educational fund as a "Communist-front organization."

Puts Testimony In Record

It was the testimony of John Sullivan, head of the Delta Investigative Bureau at Vicksburg and formerly of Clarksdale, that placed in the committee record testimony accusing Mr. Braden with being a Communist. Mr. Sullivan is a retired special agent of the Federal Bureau of Investigation.

Joseph Ellis Jr., publisher of the Clarksdale Press-Register, testified that Mr. Braden had called on him and said that an article on Dr. James Dombroski, who addressed a Clarksdale meeting of the Mississippi Regional Council of Negro Leadership in April, 1958, was erroneous. Dr. Dombroski was identified as executive director of the Southern Conference Educational Fund with headquarters in New Orleans.

Zack Vanlandingham, chief of the investigative division of the Sovereignty Commission, the state's "segregation watchdog" agency, testified concerning speeches made in Mississippi by persons assertedly associated with organizations which he said communists were infiltrating or using as fronts.

34d 1959 ...CLMUNISTS

Patterson Prods Probers on KKK

WASHINGTON, D. C.—Called before the Un-American Activities Committee of the U. S. House of Representatives for his alleged Communist Party activities, as he has been many times in the past, Atty. William L. Patterson, asked the probers again last week:

"Why does not the Un-American Activities Committee investigate the subversive activities of the Ku Klux Klan, the White Citizens Councils, and the many officials in the South who openly defy the Supreme Court interpreted laws of the nation?"

Atty. Patterson

He offered a documented booklet, "Intimidation, Reprisal and Violence in the South's Racial Crisis" produced by the Southwestern Office of the American Friends Service Committee, the National Councils of the Churches of Christ in the U. S. and the Southern Regional Council, and the October Bulletin of the Southern Regional Conference Educational Fund as documentary proof of "this seemingly licensed terror."

He also offered the American Jewish Congress "Summary and Analysis by Bombings and Attempted Bombings in the Eleven Southern States from Jan. 1, 1955 to Nov. 10, 1958," and the very recent report of the Eisenhower Civil Rights Commission.

■

SAID ATTORNEY Patterson: "Were you in fact concerned with those un-American activities which indeed threaten the Constitutional structure of our country and democratic processes by denying equality of opportunity to all alike I believe that long ago you would have investigated the Ku Klux Klan and the White Citizens Councils.

U.S. DROPS CHARGE AGAINST BROWDER

Justice Department Action in Perjury Case Seen as Change in Fight on Reds

By EDWARD RANZAL

The Government yesterday dropped its seven-year-old perjury case against Earl Browder, former head of the Communist party in the United States.

The Government said it could no longer hope to prosecute successfully because its two principal witnesses were no longer available.

The action was considered a change in the Justice Department's admant police of refusing to drop charges against present or former Communists even though there was little likelihood of prosecution at any time.

In 1952 a Federal grand jury indicted Browder and his late wife, Raissa, for perjury. Both were said to have lied to an Immigration board in denying that Mrs. Browder, who was born in Russia, had been a member of the Communist party.

Two years later Mrs. Browder received a trial severance because she was suffering from cancer. The case against Browder was marked off the calendar. In 1955 Mrs. Browder died.

Last week, O. John Rogge, Browder's lawyer, moved in Federal Court to dismiss the indictment for lack of prosecution. The motion was to be argued yesterday before Judge Edmund L. Palmieri.

Court Gets Petition

When the motion was called United States Attorney S. Hazard Gillespie Jr. handed up to Judge Palmieri the Government's petition for nolle prosequi—no prosecution. The petition said:

"To establish his knowledge of Raissa Irene Browder's membership in the Communist party of the United States, the Government had been relying principally on expected testimony from two witnesses. However, since the indictment was filed, one of the said witnesses has died and the other is unavailable to testify.

"Under the circumstances, the evidence now available against the defendant Earl Browder is not sufficient to establish his guilt beyond a reasonable doubt."

Mr. Gillespie explained later that he had been urging the Justice Department for some time to permit him to drop "deadwood" cases in his files. The Justice Department agreed to the Browder action late Tuesday afternoon.

After Judge Palmieri had signed the petition, Mr. Rogge went to the clerk's office to recover a $1,000 cash bond put up by Browder.

Later, the 68-year-old general secretary of the Communist party from 1930 through 1945 talked with reporters, sometimes bitingly. The one-time revisionist was expelled by the party in 1946. He has earned a living by writing since then.

Browder said he hoped the dismissal of the indictment would end Government "harassment of my family." He refused to elaborate except to say he was speaking of his brother, an accountant, and his sister, who heads a department in a private hospital.

The New York Times

Earl Browder

Sets Rule for Silence

"If the Government still continues to harass my relations," he said, "I will have more to say to the newspapers. If it ceases, I will have nothing further to say. They know what I am talking about."

Asked about his present feelings toward the Communist party in this country, Browder, puffing a pipe, said:

"It's long been politically dead. There is no hope of it ever being revived."

He explained the last sentence by saying:

"It cut its roots in America on the whole Socialist tradition borrowed from Europe, but it never fit the realities of America."

The party's downfall here, he declared, was cuased by Stalin who intervened in American Communist affairs, placed "stupid" leadership in charge and hastened the "wrecking" of the Communist movement.

Then chuckling, Browder said that in the last fourteen years "I have had no contact with anyone on good terms with the Communist party."

He said his three sons were mathematics teachers in American universities.

Segregationist Congressman Raps Bradens

Says They Distribute Totalitarian Doctrine

The Courier-Journal Washington Bureau

Washington, Feb. 17.—Segregationist Dale Alford Tuesday pictured "the Austin-wife team by name of Carl and Ann Braden" as "traveling about the South today, distributing the doctrine of totalitarian government."

In a House speech, the Little Rock Democrat also said that Communists have been exploiting the Negro to divide the American people.

He described Braden as a former "Communist boss of Louisville" who is "free to roam the nation these days because of a ruling of the United States Supreme Court that federal statutes have pre-empted State sedition laws."

Braden Can't Be Reached

(In Louisville, Braden could not be reached for comment.)

Alford assailed Harry Ashmore, Pulitzer Prize winning editor of The Arkansas Gazette in Little Rock, as a "renegade journalist" who has profited "quite materially" from articles detrimental to the South.

He also criticized Mrs. Daisy Bates, Little Rock, Arkansas president of the National Association for The Advancement of Colored People.

Representative William H. Meyer (D., Vt.) said it was regrettable that Alford had to drag the issue of communism into the problem of race relations. Similar views were expressed by Representatives Wayne Hays (D., Ohio) and John Lindsay (R., N. Y.).

Alford got verbal support from several Southern congressmen, including John F. Flynt, Jr., (D., Ga.) and John Bell Williams (D.. Miss.).

Braden Gets Year; Plans To Appeal

Contempt of Congress Charged to Louisvillian

By The Associated Press

Atlanta, Feb. 2.—Carl Braden, Louisville, integration advocate, was sentenced Monday to a year for contempt of Congress.

The contempt charge was made after Braden refused to answer questions of a House-un-American-activities subcommittee here last July. Braden was convicted in United States District Court here January 21.

Federal Judge Boyd Sloan set Braden's bond at $1,000 pending a motion by his attorney for a new trial.

Frank Wilkinson, Los Angeles, was given a similar sentence for contempt of the committee. He is secretary of the Citizens Committee to Preserve American Freedom.

Braden is field secretary for the Southern Conference Educational Fund. He accused the committee of using its position to harass people working for integration.

COMMUNISTS

House Unit OKs Bill Giving State the Right To Prosecute Reds

By NICHOLAS P. GREGORY
Inquirer Washington Bureau

WASHINGTON, May 12.—Legislation restoring to Pennsylvania and other States the right to prosecute Communists and other subversives, nullified by recent U. S. Supreme Court decisions, was approved today by the House Judiciary Committee.

The two-part measure was approved by a 17 to 15 vote with Chairman Emanuel Celler (D., N. Y.) leading the opponents. The Justice Department is opposed to the legislation and Celler asked Attorney General William P. Rogers to use his influence with GOP legislators to defeat the bill.

NELSON CASE CITED

A week ago Pennsylvania Supreme Court Justice Michael A. Musmanno urged the Senate Internal Security Committee to adopt legislation restoring to the Commonwealth its powers to deal with subversives.

States rights to prosecute Communist conspirators were nullified by the U. S. Supreme Court in the Steve Nelson case. The high court ruled that states could not prosecute subversives because that field was reserved for Federal jurisdiction.

Nelson, a Communist from Yugoslavia, who illegally entered the U. S., was accused as a spy. He came to trial in the Pennsylvania State Court, was convicted and sentenced to 20 yeasr' imprisonment. A majority of the Pennsylvania Supreme Court reversed the lower court and the U. S. Supreme Court upheld the decision of the Commonwealth's highest tribunal.

BILL DIED IN SENATE

Last year the House approved a bill identical with the measure which squeaked through today, but the bill died in the Senate.

The bill's first part is a general provision applying to all legislation, past and future. It would keep Federal laws from excluding State laws on the same subject unless Congress says they should or unless there is an irreconcilable conflict with Federal laws.

The second part of the bill, sponsored by Rep. Francis E. Walter (D., Pa.), head of the Un-American Activities Committee, applies only to sedition laws.

PLANS TO WAGE FIGHT

Celler said he would wage a fight on the House floor to defeat the bill when it comes up for a vote. He challenged the White House and the Justice Department to exert influence on Republican House members to kill the bill.

Otherwise, Celler said "the Administration doesn't carry out its pretentions."

Rogers contends that the broad States' rights provision in the bill would subordinate Federal laws to State statutes in many fields, beside sedition and subversion.

FBI Spy Says His Neighbors Still Hate Him

CHICAGO June 5. —(UPI)— Joe Poskonka, ex-Communist spy for the FBI, sat in his hot little apartment behind the stockyards Friday and said his neighbors still hate him.

His neighbors denied it. They said they didn't even know he was alive.

For 16 years, Poskonka, 57, posed as a Red among his fellow packinghouse workers. For 16 years, his neighbors spat at him as a Communist and taunted his wife and children.

Last month Poskonka stood before a House subcommittee probing Communist infiltration of labor unions and told all. Authorities called him a hero. Newspapers printed his picture.

"Nothing has changed," Poskonka said Friday. "My neighbors still hate me. They still call me Communist, they still pass me by in the street. Perhaps the best thing will be to move from here, from the old neighborhood."

Some of his fellow Polish immigrants in the area feel his anti-Communist stand is traitorous to the old country, Poskonka said.

"One man said he thinks there's nothing wrong with the Communists," Poskonka said. "He said they got the best man running Poland now that they ever had. He said all this stuff I'm stirring up might start a war. How can they be so stupid? They just don't know."

Poskonka's closest neighbors absolved themselves of any hatred against him. They simply chose to leave the FBI spy alone.

Mrs. Andrew Kapicak said she was new in the area and didn't know him. She said she saw him walking once, but had never heard anything about him. The Kapicaks have lived next door to the Poskonkas for four years.

Joseph Kara, who has lived next door to Poskonka for three years, also couldn't care less.

"I don't bother with anyone else," Kara said. "I mind my own business. I don't see any reason why I should go out of my way to talk to Poskonka. What's he done so special?"

SUKARNO NAMES 23 TO HIS CABINET

Shuns Communists in Adding Deputy Ministers to Fill Out Jakarta Regime

By BERNARD KALB
Special to The New York Times.

BOGOR, Indonesia, July 12 —President Sukarno announced today a list of twenty-three deputy ministers that excluded avowed Communists. However, the list included one man who is widely regarded as pro-Communist and at least one other who is regarded as an extreme Leftist.

President Sukarno thus completed formation of his Cabinet. His nine ministers were sworn in Friday.

In a brief statement that he read at the Presidential Palace in Bogor, a resort thirty miles south of Jakarta, the President reiterated that his Cabinet would remain in office for five years, although he might change ministers whenever he felt such action necessary.

The deputy ministers include six senior army officers. Their political sentiments are said to reflect the anti - Communist views of their Chief of Staff, Lieut. Gen. Abdul Haris Nasution, the new Minister of Security and Defense. One air force officer was named a deputy minister, as were five members of former Premier Djuanda's Cabinet, which resigned last Monday.

Last Sunday President Sukarno issued a decree that reinstated Indonesia's 1945 Constitution to replace the provisional Constitution of 1950. This provides for the President, rather than a Premier, to be head of government. It gives President Sukarno virtually unrestricted powers.

President Sukarno has made Dr. Djuanda his First Minister, or principal aide in the Cabinet. Dr. Djuanda is also the Finance Minister.

The President's statement today expressed hope that by the end of this month a provisional People's Consultative Congress would be formed by adding representatives of regional and functional groups to the present Parliament.

The Congress, which will outline national policy, is provided for by the 1945 Constitution. It will meet at least o very five years.

Functional groups have been defined as such bodies as labor and the military.

The deputy ministers will be supervised directly by the nine ministers and the President, who make up an "inner" Cabinet, President Sukarno said. Last week he said that the "highest leadership of government" would be concentrated in the inner Cabinet, but that all ministers, including deputies, would have a "voice" in plenary Cabinet sessions.

Whether the Cabinet would solve Indonesia's varied problems—particularly in her economy—was the leading question in the nation tonight.

Reds Announce Support

Although no known Communists are in the Cabinet, the Communist party announced tonight that it would support

the Cabinet. But it warned that any ministerial action that "harmed the people's interest" would not be approved by the party.

A Stalin Prize winner, Dr. Prijono, was named Minister of Education, the same post he held in the last Cabinet. Now, however, he will be under the supervision of Mohammad Yamin, a Nationalist leader who is Minister of Social and Cultural Affairs in the inner cabinet. Dr. Prijono is regarded as an extreme leftist.

Two deputy ministers will have charge of mobilization of the people's potential. They

Once Secret Accounts. . .

Story Of How Soviets Snuffed Out Life Of Tiny Independent Neighbors Told In Secret Papers

El Dorado Daily News P. 1

By LEWIS GULICK

WASHINGTON (AP)—The story of how the Soviet Union snuffed out the life of three tiny, independent neighbors unfolded graphically in secret diplomatic papers released by the United States Sunday. Mon. 6-29-59

A State Department spokesman said the record underscores why Washington to this day does not recognize the Soviet grab of the three countries — Latvia, Lithuania and Estonia—though it happened 19 years ago.

The once-secret accounts of the Red takeover with half a million soldiers, came to light with the publication of 1940 diplomatic dispatches. This was part of the department's program of releasing old state papers.

One U.S. diplomat, Henry William Antheil Jr., a clerk in the American legation in Finland, lost his life while traveling as a courier on a Finnish airliner which exploded mysteriously in the air on June 14. 1940.

The U.S. minister to Estonia and Latvia, John C. Wiley, wired Secretary of State Cordell Hull on Feb. 13 of that year that all three Baltic states were standing fast against any further concessions to Moscow than they had already made.

Sharp Set-Up

By April 30 he was noting a sharp stepup in local antigovernment activities in Latvia. A month later Tass, the Soviet news agency accused the Lithuanian government of kidnaping Soviet soldiers in Lithuania.

On June 7, the American military attache in Latvia-Estonia, Maj. George B. Huthsteiner, heard from the German military attache that the German General Staff expected the Russians to seize the area.

The next day a cable to Washington from the U.S. Embassy in Moscow told of the arrival there of the Lithuanian prime minister, Antanas Merkys. Merkys was greeted by high Soviet officials at the Moscow railroad station which was well decorated with Soviet and Lithuanian flags.

A week later, a spate of hurried cables from U.S. posts told Washington what the Russians were up to.

Moscow issued a stiff ultimatum to Lithuania, rejected Lithuania's response and sent armored divisions into the country.

The next day, June 16, Tass announced Estonia and Latvia had accepted ultimatums demanding reorgnization of their governments and admission of Sovitt troops.

Soviet forces poured into the two countries.

From here on the dispatches tell of rapid conversion of the Baltic states to Soviet-style "democracy." By mid-July, after confiscations midnight arrests and a purge of independence-minded leaders, the stage was set for "elections" to arrange absorption of the three countries into the Soviet Union.

Named to High Posts in Indonesia

Dr. Prijono

Mr. Subdijo

Times New York Mon. 7-13-59 P. 11-4

are Mr. Sudjono, who is regarded as pro-Communist, and Mr. Sudibio, who was Minister of Information in the last Cabinet and has frequently attacked "colonialism."

President Sukarno said all Cabinet members were nonparty men or had been "released" from membership in their parties.

The President said the Ministry for the Mobilization of the People's Potential would rally the masses to accelerate achievement of his program.

Negroes Who Back Reds Are Misled, Speaker Declares

Atlanta Journal Monthly Mon. 10-26-59 P. 2-A

ATLANTA, Ga. — If Negroes who have espoused communism knew what Russia is really like, they would find that the things which they are fighting for do not exist in Russia, John H. Johnson said at the Atlanta University Charter Convocation.

Whatever the difficulties the American Negro has, they are infinitestimal compared with those Johnson saw elsewhere, particularly in Russia, the president of a publishing company stated.

Basing his conclusions on his observations on his recent trip to Russia where he accompanied Vice President Nixon's party, Johnson found many misconceptions about the status of the American Negro in Russia. After interviewing Negroes who had gone to live in Russia, he decided it took as long for a Negro to become a plain Russian as it did for him to become a plain American.

He urged Negroes for selfish reasons to try to improve the picture of the colored man throughout the world. Even in France and in South America, where there is supposedly no discrimination on the basis of race, the Negro occupies an inferior position, holds the poorest jobs, lacks education.

Those privileged by education and opportunity have the obligation to lift up the lowliest man and thereby lift up themselves, he said.

The American Negro must make the American system work rather than try to get a new system, according to Johnson. "We must work individually and as groups to better things here, for more is being done now about racial problems here than is being done about any social problems in other parts of the wrold," he said.

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COMMUNISTS

High Court's Voting Favors Communists

By HOWARD SUTTLE
Daily News Washington Bureau

WASHINGTON, Apr. 4 — Exactly 58 known Communists, sentenced to jail for plotting violent overthrow of the U.S. government, are still free to roam the nation, because their convictions have been reversed by the Supreme Court.

The nation's highest tribunal is, in fact, more and more sustaining the contentions of Communists in cases involving charges of subversive activity.

A research job by Kent Courtney, New Orleans, editor of two conservative monthly publications, reveals that six of the nine members of the Warren court have voted, on issues before it involving Communism, considerably more than 50 percent of the time in favor of the positions held by Communists concerned in cases considered.

Courtney had considerable help from speeches, recorded in the Congressional Record, by Sen. James O. Eastland (D-Miss.), chairman of the Senate judiciary committee and author of seven pending bills to overthrow or correct decisions involving asserted Supreme Court "usurpation."

BLACK "BATS 1,000"

Eastland introduced these bills, March 5, to carry out recommendations of the American Bar Association. The ABA, in a Chicago meeting during late February, severely criticized the high court for activity beyond its judicial functions.

There has been speculation that this criticism, together with formal chastisement of the Supreme Court by the Council of State Chief Justices and a wave of censure across the nation, may have vexed Chief Justice Earl Warren and caused his resignation from the ABA. Warren's resignation was accepted by the lawyers' organization at the Chicago meeting.

Courtney has compiled a table to show the "batting average" of Supreme Court members in decisions on issues involving Communism.

And the record shows that Justice Hugo Black "led off" by "batting 1,000." Out of 71 decisions involving issues of Communism, the justice from Alabama — who gained his judicial experience, prior to high court appointment, as a Birmingham city court judge — voted 71 times to sustain the contentions of Communists concerned in the cases considered.

WARREN, DOUGLAS "CLOSE"

Very close to the "perfect" record of Black were those of Justice William O. Douglas and Chief Justice Earl Warren. They trailed "by a nose."

Douglas is shown to have voted to support Communist contentions, 66 times out of 69 cases in which he participated. This gives him a 95 - percent record.

The Chief Justice, who participated in consideration of 39 such cases, supported the position of Communists involved 36 times, for a record of 92 percent.

Other court members above the 50 - percent mark are:

Justices William J. Brennan, who voted with the majority 18 out of 20 times, for a 90 - percent score; Felix Frankfurter, who went along in 56 out of 72 decisions to chalk up a 77 - percent record, and John M. Harlan, who supported the position of Communists 20 times in 34 cases, for a score of 58 percent.

The score of the remaining members: Justice Harold H. Burton, now succeeded by Justice Potter Stewart, 32 out of 69 for 46 percent; Justice Charles E. Whittaker, four out of 11, for 36 percent; Justice Tom C. Clark 18 out of 51 for 35 percent.

Courtney publishes The Independent American, in which he crusades for constitutional government and conservatism. He has a weekly transcribed radio program that's aired by a number of stations across the nation.

Recently, he launched another monthly publication, called "The Solid South," in which he has announced he will seek to keep southern citizens informed concerning the activity of their senators and congressmen.

Hearing Set To Tighten Security Laws

WASHINGTON (AP) — Senate Committee hearings will start Monday on a batch of anti-subversive bills designed to undo the effects of recent Supreme Court decisions.

Among them are bills introduced by Sen. James O. Eastland (D-Miss) to carry out recommendations made by the American Bar Assn. in a report last February calling on Congress to plug loopholes in internal security laws.

The bar report, expected to strengthen the hand of supporters of the legislation, took note of what it called severe criticism of Supreme Court decisions involving Communist activities.

BITTER FIGHT

The hearings, by the Internal Security Subcommittee, will mark the start in effect of a new round in the bitter and unsuccessful fight waged last year to curb the court's powers or to overcome the effect of some of its rulings in the subversive field.

Several of the bills passed the House last year but they all died in the Senate in a battle that reached its climax in the last week of the session.

Red Pro-Negro Line Called Lie

Ex-Commie Labor Leader Testifies of Strategy

By MARGUERITE DAVIS

CHICAGO (UPI) — An international representative of a meat workers union testified before a congressional subcommittee Wednesday that the Communists were posing falsely as the champions of Negro rights and accused them of misleading Negroes in the United States.

The witness was John R. Hackney, a Negro, international representative of the Amalgamated Meat Cutters and Butcher Workers' Union since March, 1957.

Hackney testified he was a member of the Communist party from 1942 to 1948, when he quit. He appeared before a subcommittee of the House un-American Activities committee, which is examining Communist infiltration into labor unions in this area.

LINE CALLED LIE

Hackney said he went to work in the meat industry in 1925 at the age of 17 and joined the Communist party because he had been led to believe it spearheaded the fight for the rights of Negro people. He said he broke off relationships with the party when "I found they were misleading myself and my people."

Richard Arens, committee investigator, asked him if he felt the party was a strong force in the meat packing industry.

"It is now and always has been," Hackney said.

Hackney said the Communists felt the meat industry was essential to the national economy, and that in the event of war with another country "we (the Communists) could control the meat industry at the very outset."

He said the "Communist line" that represents the party as the champion of the rights of the Negro people is "an outright lie." "They used the grievances of the Negro people for the purpose of building the party," Hackney said. "In many cases they destroyed Negro leaders who didn't serve the party."

PROSTON RED 'BRAINS'

Hackney was questioned about the activities of Jesse Proston, an official of the United Packinghouse Workers of America. Arens said Tuesday that he understood Proston was hiding out in the Southwest and the committee wanted to talk to him. Hackney said that, as of the time he was in the Communist party, he believed Proston was the leader of Communists in the meat industry.

"He is described as the brains behind the scene," Hackney said. "He is the comrade with connections throughout the industry." Hackney said he understood Proston now was the head of the grievance department of the UPWA.

About this point, Arens read a telegram received from Ralph Helstein, president of UPWA. Helstein said Proston was not hiding out, but was in Miami, on union business and that he would be available at the hearings Thursday.

The committee called as witnesses three persons who were named in testimony Tuesday of Carl Nelson, who said he had been a Communist and had left the party. He gave the names of several persons whom he said he had known as Communists while he was in the party.

Charles A. Hayes, director of District 1 of the UPWA, refused to answer a committee question whether he had been correctly identified as a Communist. His secretary, Rachel Carter Ellis, declined to answer or to say whether she was against the party now, and Leo Turner, field representative of District 1, likewise declined to answer whether he was against the party now.

Top Negro Red Faces Quizzing

Legislators Told They Ought To Be Investigating South

IN PASSPORT HEARINGS

WASHINGTON, April 22. — A Negro communist leader told House investigators Wednesday they should be investigating the murder of Negroes in the South" instead of "prying" into his politics.

The Negro, William Lorenzo Patterson of New York, general manager of the Communist Sunday Worker, clashed angrily with members of the House Committee on Un-American Activities.

Committee Chairman Francis Walter (D., Penn.) told Patterson it was "to the everlasting credit of the colored people in the United States that they were not "deceived" by Patterson's writings about civil rights strife.

Patterson snapped that he did not like Walter's "gratuitous insults." He angrily told Walter that the "murder" and "denial of civil rights" to Negroes in the South were "directed by men like yourself."

"We don't care about that," Walter retorted. "You've shed enough crocodile tears this morning."

Passport Hearing

Patterson was summoned to testify on a bill to give the State Department more discretion in withholding passports for travel abroad. The measure was prompted by a Supreme Court ruling that the department cannot deny a citizen a passport solely because of his political associations.

Patterson challenged the authority of the group to hold such hearings and said any legislation that might result would violate the "constitutional right to travel."

Patterson, who has been associated with communist organizations for at least 30

years, even refused to tell the committee whether he had ever been a Red.

"You have no right to ask such a question," he said. Ordered to answer, he again declined, contending that the constitution guaranteed him the right to hold whatever political beliefs he chose.

Patterson once had his passport revoked because he traveled to Hungary in 1950 without State Department permission.

Committee counsel Richard Arens produced a United Press dispatch quoting Patterson as telling a news conference in Prague that the United States was "a criminal government" on the question of civil rights. He was asked if he ever made such a statement.

Statement's 'Distorted'

"The United Press has distorted and continues to distort statements by Negroes," he said. He said he did not recall making the statement, but added that he did not see its relevancy to the hearing "whether United Press reported it or not."

The committee brought out that Patterson was deported from Canada in 1948 on grounds he was seeking to overthrow the Canadian government by force and violence.

Patterson said he went to Toronto merely to address a mass meeting. He said the Canadians deported him "under pressure" from the United States State Department.

"You aren't creating the impression the State Department was fighting to bring you back here?" Walter asked.

"Very funny," Patterson snorted.

Negro Clashes With Committee

WASHINGTON — (UPI) — A Negro Communist leader told House investigators Wednesday they should be investigating the "murder of Negroes in the South" instead of "prying" into his politics.

The Negro was William Lorenzo Patterson of New York, general manager of the Communist Sunday Worker.

Committee Chairman Francis E. Walter (D., Pa.) told Patterson it was "to the everlasting credit of the colored people in the U.S." that they were not "deceived" by Patterson's writings about civil rights strife.

Patterson snapped that he did not like Walter's "gratuitous insults."

Smith Act Is Attacked Before Supreme Court

By HOWARD L. DUTKIN
Star Staff Writer

The "knowing membership" clause of the Smith Act yesterday was attacked as unconstitutional and defended as a legitimate means of combatting communism in arguments before the Supreme Court.

Before the Court was the appeal of Junius Irving Scales Communist leader in the Middle South.

Scales had been convicted in 1956 of being a member of the Communist Party knowing that it advocated violent overthrow of the Government. He was sentenced to serve six years in prison.

He won a new trial but again was convicted.

Yesterday, his attorney Telford Taylor argued that the membership provision of the Smith Act was an unconstitutional invasion of the First Amendment safeguards of free speech and assembly.

Abridgment Permitted

Such rights are no absolute. The Supreme Court has held they may be abridged when their exercise constitutes a clear danger that outlawed evils may result.

Mr. Taylor contended that that the Smith Act clause makes a member of a group crininally liable for the group's advocacy of violence even if he had not joined in such advocacy.

"A co-conspirator or joint participant in a felony may be held liable for the act of others, but it has not yet been held under our Constitution that membership is a form of association which warrants holding one member criminally responsible for the acts of others," the attorney declared.

Indictment Held Weak

"It is not charged that the petitioner (Scales ever heard anyone advocate violent overthrow of the Government, much less that he himself ever engaged in such advocacy. The indictment charges nothing more than a state of mind comprising knowledge and intent manifested in the external world by membership in the Communist Party."

But Justice Department attorney John Davis countered with the assertion that the membership clause does not impose "guilt by association."

The crime punished, he said, "consists of the individual's personal participation in a combination aimed at forcible revolution with knowledge of this end and intent to achieve it. The liability is personal, not vicarious. It is for conduct, not mere status."

"Active" Issue Raised

Mr. Davis declared that the intent of Congress in writing the statute was to penalize knowledgeable and "active" membership such as Scales' and not all those whose names merely appear on the rolls.

The Government emphasized the position that Congress has the right "to strike at the danger the party poses in the only way it could be reached — through the leaders and members."

Justice Black asked Mr. Davis if one could be accused of a crime for joining a party which had many planks—one of which urged an illegal objective.

After some colloquy, Mr Davis said he believed a member could be prosecuted if he knew of the illegal aim, believe in it and worked to achieve it.

Some 13 other similar cases are pending in Federal courts awaiting the outcome of the Supreme Court decision in this case.

Accused Negro Communist Blasts Senate Committee

By ALICE A. DUNNIGAN

WASHINGTON—A flurry of heated words was exchanged between Sen. Kenneth Keating and James E. Jackson at a hearing last week before the Senate Committee on Internal Security.

Keating was acting chairman of the committee in absence of Chairman James O. Eastland And Jackson, who had been identified as secretary of the Communist Party of the USA for Negro and Southern Affairs, was a subpoenaed witness.

Jackson had consistently declined to answer all questions regarding his party affiliations under the protection of the First and Fifth Amendments until a question was raised about the Negro problem.

■

UNABLE TO BREAK the witness down by presenting him with newspaper clippings regarding his speeches in Moscow, with newspaper pictures of himself, references to his wife and his friends, J. Sourwine, attorney for the committee finally touched the subject which triggered him into action.

● "Do you consider yourself an expert on the race problem?" asked Sourwine. The witness replied that he had a very definite opinion on the Negro problem. And the persons responsible for internal security of this country come from below the cotton belt, he asserted.

● He charged Senators Eastland and McClellan of that committee and Gov. Faubus from Arkansas with breaking down internal security in this nation. It would be well if these people who have violated the law of the land would be brought before this committee, he added.

Amid the wrapping of the gavel by Sen. Keating, the witness shouted that a lynching took place just a few weeks ago in the chairman's home state because of the dixiecratic atmosphere engendered there by Eastland.

■

KEATING ATTEMPTED to comment that this man does not speak for all Americans with dark skins, when Jackson thundered out that this witness happens to be an American with a dark skin.

The rest of the colloquy was lost in the loud talk between the witness and chairman and the knocking of the gavel.

After the hearing the witness released to members of the press a prepared statement on the Mississippi kidnap-lynching of Mack Charles Parker.

■

THE STATEMENT pointed out that "the wave of terror in the South, combined with the general denial of Negro citizens' right-to-vote, are designed to behead the growing desegregation movement in our country. Further, this situation, if permitted to continue, would make a mockery of 'free elections' in 1960."

The witnesses were called before the committee apparently to prove that Communists still operate in this country. This Senator Eastland hoped would indicate that the series of anti-Communist bills which he introduced are necessary.

● In referring to these bills, Arnold Johnson, white, National Legislative director of the Communist Party USA, stated that this call for anti-Communist legislation is only "a springboard to reverse Supreme Court decisions against segregation."

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COMMUNIST

Pope Warns Catholics About Voting For Fellow Travelers

VATICAN CITY (AP) — Pope John XXIII has signed a decree declaring that Roman Catholics, warned 10 years ago against supporting the Communist party, may not vote for fellow travelers of communism.

The decree, made public Monday, has worldwide effect.

It says Catholics cannot vote "for parties or for candidates who, even if they do not profess principles in contrast to Catholic doctrines, or the attributes of Christianity, may unite with communism or aid the Communists."

A 1949 decree, excommunicating militant members of the Communist party, explicitly warned Catholics not to join Communist parties. It said communism is materialist and anti-Christian.

The new decree—approved by the Congregation of the Holy Office March 25 and signed by the Pope April 2 — broadened that warning.

Vatican sources said the measure was prompted at this time by the political situation in Sicily, an Italian island in the Mediterranean.

On that island Silvio Milazzo, wealthy landowner and long time leader in the dominant Christian Democratic party, last year formed a junta with the help of Communists and Neo-Fascists. The junta governs the island, which has internal autonomy.

Sicily is now in the midst of a campaign to elect June 7 a new regional assembly, which will pick a new junta.

Christian Democratic regulars, opposing Milazzo, are fighting an uphill fight.

Ernesto Cardinal Ruffini, archbishop of Palermo, called attention of all Roman Catholic bishops and archbishops on the island to the Vatican decree.

He said they and the clergy had "the task of bringing the decree to the attention of the faithful."

Italy's Communist party is the largest west of the Iron Curtain and the party newspaper, L'Unita, denounced the decree as "a new open intervention by the church in Italian political life."

ANTI-RED BLOC MAY BE FORMED

Arabs Could Succeed Where Pact Failed

By TOM MASTERSON

BEIRUT, Lebanon (AP)—Shocked by the threat of a Communist take-over in Iraq, Arabs may be moved to form their own home-made anti-Communist bloc. It could succeed where a Western attempt to stem communism in the Arab East failed.

The Baghdad Pact, formed in 1955, linked an Arab country, Iraq, to Britain, Turkey and Pakistan in a northern wall against communism. But Arab nationalists rejected it. They associated the West with imperialism and colonialism, suspected its motives. Only the Iraqi monarchy, dominated by the late Premier Nuri Said, went along with the alliance, giving the pact its name.

Arab union remains largely a myth. But a common threat could at least, bring the rulers of the Arab countries together in a common front to hold off further Soviet penetration.

UNITY LACK CLEAR

The lack of Arab unity was clear at the Arab League meeting of foreign ministers here this week. For reasons of their own, some leaders hesitated to join United Arab Republic President Gamal Abdel Nasser's vigorous anti-Communist campaign.

There is a parallel between what is taking place in the Middle East now and what happened in Europe a decade ago. As one Eastern European country after another fell into the Communist net, Western European countries rallied to the concept of NATO. Even then the defense alliance lacked teeth until the shock of the Korean War.

Arabs now seem to be approaching a similar crisis. The leaders of Jordan, Lebanon, Sudan, Saudi Arabia, Libya, Tunisia, and Morocco fear communism and are ready to acknowledge that a Communist take-over in Iraq would threaten their position.

Nasser obviously also fears the effect a Red penetration might have upon his Egyptian and Syrian regions. Yet the other countries have seemed to balk at Nasser's all-out anti-Communist crusade.

U. S. Negro Red Committee Head Addresses Communist Party Congress

Jackson Tells Moscow Meet America Has Political Prisoners

JAMES E. JACKSON

MOSCOW, Feb. 2 — A United States Communist told his Soviet comrades today that his party "would not allow the imperialist death merchants to plunge the United States into a war."

James E. Jackson, a secretary of the national committee of the Communist party of the United States, concluded a brief speech to the twenty-first congress of the Soviet party by shouting in Russian, "Long live peace, long live communism."

Mr. Jackson was quoted by the Soviet agency Tass as having said that "if President Eisenhower were able to say, as Nikita Krushchev did in his report to the congress, that there is not a single political prisoner in the United States, many leaders of the United States Communist and labor movement could have been present here."

Mr. Jackson said many of his comrades were "now languishing in the jails of the United States."

Trade Tied To Joblessmen

He said his party had managed to do away with "the scourges of revisionism in its leadership" and was resolved to fight against what he called sectarians and dogmatists.

A message from his party said millions of Americans considered the prospect of expanded trade between the United States and the Soviet Union "of great consequence." Such expansion, he said, would open up possibilities for liquidating unemployment in the United States.

Mr. Jackson was one of a number of foreign Communist leaders who rose today to praise Mr. Krushchev's bold new plans for leading the Soviet Union to supremacy over the capitalist world.

Says Reds Didn't Aid Negro Rights Fight

The Communist party which has been on the skids in American Negro communities for more than a decade suffered a damaging blow yesterday when ex-Communist and union leader John R. Hackney said it was an outright lie that Communists fight for Negro rights.

Hackney, an international representative of the Amalgamated Meat Cutter's union, during testimony which occupied most of the morning session of a sub-committee hearing of the House Un-American Activities committee, told of his past Communist affiliation and named members of the Chicago United Packinghouse Workers, district one, as being active in the party during his association.

Those named by Hackney and subpoened by the committee to testify included Leon Beverly, Hazel Gray, Charles Hayes, Jesse Proston, Rachel Carter Ellis, Donald A. mith, Jack Souther, William Rix and Meyer Stein.

Prior to the testimony of Hayes, director of district one, Hackney who said he was a party member from 1942 to 1943, stated the party "used the grievance of the Negro people for the purpose of building the party. In many cases they destroyed Negro leaders who didn't serve the party," Hackney said.

Hayes, of 5471 S. Ingleside, took the witness chair following Hackney and admitted to committee counsel Richard Arens that he had known Hackney since 1941.

But to all other questions asked by Arens including "are you now and have you ever been a member of the Communist party," Hayes took the Fifth Amendment and refused to answer on grounds of possible self incrimination. He did add, however, that he was not now a member of the Communist party.

FIRST NEGRO

When Hayes declared that he was the first Negro to serve as a vice-president of the Illinois AFL-CIO, Rep. August Johansen (R-Minn.) a member of the committee, commented "it is a tragedy that such deep pride has to be diluted by your taking the Fifth Amendment."

Mrs. Rachel Carter Ellis, of 7140 S. Michigan and secretary to Hayes followed him in the witness chair. But after stating her name, address, educational background and admitting that she knew Hackney only as a trade union member, she took the Fifth Amendment.

Asked by Arens specifically if she was against the Communist party and its practices in the U. S.; Mrs. Ellis refused to answer on ground of possible self-incrimination.

RED LITERATURE ROUTED VIA U.S.

Postal Service Unwilling Pipeline—Eastland

The United States postal service is an unwilling pipeline for Communist propaganda flowing into Latin America, much of it through New Orleans, according to Sen. James O. Eastland of Mississippi.

Sen. Eastland is chairman of the Senate Internal Security subcommittee which recently held a hearing into the Communist propaganda situation in New Orleans.

He pointed out that under the universal postal union agreement the United States is obligated to handle "in transit" mail, or closed mail which originates in foreign countries and is destined for other foreign countries.

PARTLY SUBSIDIZED

"The Soviet embassy in Mexico operates a large printing plant which ships printed matter to other Latin American countries. Most of the mail from Mexico to other points in Latin America must be routed through New Orleans because transpor-

tation facilities in the south of Mexico are inadequate," Sen. Eastland said.

It is estimated that about 365,000 pieces of printed matter of the propaganda type passes through New Orleans every year bound for Latin America. Every piece is handled by the United States postal service, Eastland said, which is subsidized in part by tax money.

At the committee hearing here last March, Irving Fishman, a customs agent, testified from a survey which he had made of the flow of Communist mail through New Orleans. His testimony has been published by Eastland's group.

OTHER PORTS, TARGETS

Eastland pointed out that Fishman's estimate of the amount of propaganda going through New Orleans was based on a sampling of mail for a two-week period before the hearing during which he opened only "open mail" in order to comply with the postal agreement.

In addition to New Orleans, Eastland named New York, Chicago, and Pennsylvania points as the main ones through which the propaganda is being sent.

Main targets of the propaganda shipped through New Orleans are Chile, Ecuador, Venezuela, and Bolivia, according to Eastland.

Cleared as a Red—

FBI informer bitter, his neighbors still hate him

News Birmingham Ala.
Thurs 6-4-59
Page 3-C

CHICAGO, June 4 (AP)—For 16 years Joseph Poskonka—branded as a Communist—endured the beatings, insults, sneers and scorns of his neighbors.

Suddenly, less than a month ago before a House subcommittee he told the world and more especially his friends, that the Red label was a disguise. He really was an FBI informer, supplying them information on Communist activities in labor unions.

HE HOPED THEN the hate would disappear; that he could walk down the street and find a friendly hello instead of a vacant stare. He says he didn't. Now he is bitter.

"I guess I was foolish to believe that. Out of the whole block, just one guy, only one, has come up to shake hands," Poskonka told a newsman yesterday.

His wife, Antoinette, 55, agreed.

"It's ignorance, that's all it is," she said with a slight Polish accent. "These people have hated us so long they don't know how to change."

BUT SOME of Poskonka's Stockyards District neighbors had different things to say.

"This is an old Polish neighborhood," said one. "They'll never admit they're wrong. No one has a good word to say about anyone else."

Another declared he never did shun the 57-year-old Poskonka. "I don't have anything to do with my neighbors. I just mind my own business."

A third said the Communist guise had nothing to do with Poskonka's complaint at all. "It's his personality," she said. "He never did have a lot of friends. He's not too friendly himself."

NO MATTER WHAT the neighbors say, Poskonka is a disillusioned man. "I never blamed them before because this is a Polish-American block and they thought I was a Red. But now that the truth is out, you'd think they would be different.

"Except for that one guy, the rest are the same. The ones that used to say hello still say hello. The others still ignore us or give us dirty looks."

Poskonka lays much of the blame on a Polish language newspaper, The Daily Zgoda. He claims the paper played in big headlines the 1952 testimony before the House un-American activities committee in which he was labeled as a Communist, but "didn't print a word" about his recent testimony before the committee which cleared him.

Karol Piatkiewica, editor of the paper, denied the charge, and said he definitely printed stories and an editorial. He added "there must be some misunderstanding."

Poskonka, unable to hold a job before, works now as an $80 a week employe in the county clerk's office.

34d 1959

DEMOCRATIC

S. C. Party Leaders Seek Butler Ouster

Charleston, S.C. 34d

COLUMBIA (AP)—Paul Butler will lose his post as national Democratic Party chairman next month if South Carolina's two members of the National Democratic Committee have their way.

State Sen. Edgar Brown of Barnwell and Mrs. Ann Agnew of Columbia said Wednesday another move to oust Butler will be made at a meeting of the national committee in Washington Sept. 16.

The South Carolina national committeeman and committeewoman joined Democratic leaders from throughout the South in denouncing Butler after it was announced that he will try to bar some segregation - minded states from sending delegates to the national convention.

The rule proposed by Butler would bar from the nominating convention delegates from states which have uninstructed electors or which omit the names of party nominees from their ballots.

State party leaders could decide at the state convention next spring whether South Carolina will have uninstructed electors and omit the names of national party nominees from the ballot.

The intent would be to withhold the state's electoral votes should the Democratic presidential and vice presidential candidates insist on a strong civil rights program.

Brown said dissatisfaction with Butler is not limited to Southerners. He estimated that 45 committeemen at this time are in favor of ousting Butler.

If his estimate is correct, six additional votes would be needed at the Sept. 16 meeting to fire Butler. Each of the 50 states has a committeeman and a committeewoman, making a total of 100 votes.

A previous attempt to get rid of Butler failed.

Brown said Butler's proposal to bar some states from the convention is "crackpot stuff. . .He knows that as party chairman and is trying to drum up prestige."

Mrs. Agnew charged that Butler is "talking through his hat." She pointed out that the national committee can not adopt such a new rule.

Southern critics to find anything new in his proposal to have the 1960 party convention readopt a 1956 rule to deal with a possible Dixie revolt.

Butler, showing no concern over fresh demands that he be ousted, predicted the next convention would follow the same course as the 1956 meeting by adopting a North-South compromise that supplanted a pre-1956 loyalty oath.

Under this compromise rule, seating of state delegations might be challenged if their states fail to give the voters a chance to vote for the convention nominees or fail to name electors "pledged formally or in good conscience" to vote for those nominees in the electoral college.

Some Southern states have taken legislative or party organization steps to omit the Democratic nominees' names from the ballot and to elect free electors. The aim is to withhold support from nominees objected to by the South and to throw the election into the House if no candidate gets an electoral college majority. Each state has only one vote in a House election for president.

When a national committee spokesman said Tuesday Butler planned to put the issue to a national committee meeting here Sept. 16—to clear the air well in advance of the 1960 convention—Southern Democrats erupted angrily with new demands for Butler's scalp.

These demands continued Wednesday. But Butler said through an aide there is nothing new in his proposal and he is confident the 1960 convention will adopt the same rule of 1956 which some Southerners described as something they could live with.

Among those calling for Butler's resignation or ouster were Sen. Harry F. Byrd (D-Va) and State Sen. Edgar A. Brown, national committeeman for South Carolina.

"Butler should resign from the committee or be expelled because he's doing great injury to the Democratic party," said Byrd.

HAYES RESTATES GRAVEL BLAST

Times-Picayune

BATON ROUGE, La. (UPI)—Rufus D. Hayes restated his charge Thursday that national Democratic committeeman Camille Gravel is managing deLesseps S. Morrison's campaign for governor, and called for "an honest answer from Morrison instead of double talk."

Hayes, state Democratic chairman and a candidate for insurance commissioner on Jimmie Davis' ticket, said Morrison "has failed completely to answer my statement" that Gravel "engineered and is continuing to manipulate a deal between Morrison and Bill Dodd," another candidate for governor.

"Louisiana voters are entitled to an honest answer from Morrison instead of counter - attacks and double talk," Hayes said.

Morrison countered Hayes' original charge Wednesday by accusing Hayes, who now holds the insurance commissioner's post by Gov. Earl K. Long's appointment, of becoming Davis' "principal hatchet man" after Long "sold out to Davis."

Hayes pointed out "the fact that Camille Gravel personally filed Morrison's qualification papers with the state central committee should make it obvious who is running the show."

Hayes also called upon Morrison to explain "why he has failed to endorse his own candidate for insurance commissioner instead of preparing to endorse Paul Tate, a member of the Dodd ticket."

Democrats May Defer Showdown

Atlanta, Ga

By JOHN D. MORRIS

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WASHINGTON (AP)—Democratic leaders have quietly dropped plans for House passage of a civil rights bill this session.

The present strategy, according to well-posted sources, is to steer a "moderate" bill through the Senate before adjournment but defer a showdown on the House floor until next year.

A separate measure extending the life of the Civil Rights Commission, which expires next month, would be passed by the House and Senate in the closing hours of the present session.

Bills do not die upon adjournment of the first session of a Congress. Thus a Senate-approved civil rights bill, along with one reported Aug. 5 by the House Judiciary Committee, would be alive when the second session of the 86th Congress convened next January.

The Senate, by acting this year, would at least complete the hardest phase of the legislative fight, leaving a less difficult task for Congress in the 1960 presidential election year.

Sources close to the speaker and chief Democratic leader of the House, Rep. Rayburn of Texas, said it was necessary to defer House action until next year because of the commanding tactical position of Rep. Smith (Democrat of Virginia).

Smith, a bitter-end foe of any civil rights legislation, is chairman of the House Rules Committee. At this late stage of the session, according to these sources, he is in a position to delay rules committee action and thus block clearance of a bill for House consideration before adjournment.

Rayburn is working for adjournment early next month. Cumbersome parliamentary procedures to force the rules committee to act or to by-pass it could not be invoked within the time available, in Rayburn's estimation.

Senate Democratic leader Johnson of Texas, is standing by his repeated pledges to win Senate approval this session of a limited but "meaningful" bill.

So far, Southern opponents have been able by dilatory tactics in the Senate Judiciary Committee to keep any civil rights measure from the floor.

If the blockade continues, as expected, Johnson plans to have a civil rights bill attached to some other unrelated measure in the Senate at a time that he regards as tactically appropriate. He has not disclosed when this might be done. Present indications are that the move will be made after all other major legislation of the session has been disposed of.

MINOR MEASURE

The bill to be used as a vehicle for the civil rights rider has not yet been identified. It is likely to be a minor measure on which Congress need not complete action this session.

Rep. Celler (D-NY) attributed the declining prospect for House action on civil rights this session to what he called a "deal" between Republican leaders and Southern Democrats.

He said he was "firmly convinced" that Republicans mustered Southern votes for a tough labor-reform bill by promising to help bottle up the civil rights bill in the rules committee.

Celler conceded, however, that Rep. Smith probably would be able to stave off a rules committee vote for the rest of the session.

APPARENTLY TOO LATE

He said it was apparently too late to try to force the committee to act or to by-pass it by a petition of 219 House members.

Rep. Byrnes of Wisconsin, chairman of the House Republican policy committee, sharply denied the existence of "any deal."

Byrnes noted that Celler, chairman of the judiciary committee, had not yet asked the rules committee to clear the judiciary committee's bill.

Celler said he planned to make such a formal request Thursday.

Repeal Periled, Engelhardt Says

Chairman Explains No-Vote Decision

MONTGOMERY, Jan. 22 (AP)—Chairman Sam Engelhardt says the State Democratic Executive Committee might have refused to repeal the party loyalty oath had the issue been forced Monday.

Engelhardt, elected chairman in a 36-35 decision over Montgomery Atty. Frank Mizell, adjourned the meeting of the newly-organized state committee without letting the loyalty pledge come up.

Answering criticism today, the state highway director reemphasized his promise to call another meeting shortly for the expressed purpose of scrapping the oath.

He said an effort to repeal it "might have been beaten" Monday in the wake of the tense fight over the chairmanship.

Engelhardt also emphasized again that he personally is in favor of knocking out the loyalty pledge which since 1952 has bound Democratic candidates for presidential electors to the national party.

The oath requires candidates running in the Democratic primaries to sign an affidavit that they will support the national party's presidential ticket. It also disqualifies any prospective candidate who voted Republican in the preceding general election.

The pledge was written into the party rules seven years ago to prevent a recurrence of the 1948 revolt when Alabama's Democratic presidential electors voted for the States Rights ticket.

About Politics And

MIAMI BEACH, Fla. — Democratic National Chairman Paul M. Butler said Saturday that he felt that integration tension in the South would be reduced greatly within the next ten years as a result of constructive efforts by church groups, state court decisions, and the influx of industries which would require assurances of operation of the public school system.

BY CONTINUING TO BACK RIGHTS LEGISLATION

Demo Party Warned Of Losing Southern Vote

WASHINGTON (AP)—Rep. John Bell Williams (D-Miss) Monday warned the Democratic party it may lose the Southern vote if its leadership continues to support civil rights legislation.

"It will be difficult for Southern people to lend their support to a political party if the party leadership continues to insist upon passage of this kind of legislation against the best friends the party ever had," Williams said.

Testifying before a Seante Judiciary Subcommittee which is considering proposed civil rights bills, Williams said Southern Democrats could not forever continue to support a party "which fails to lend an ear to their problems."

Rep. Armistead I. Selden Jr. (D-Ala) urged the subcommittee to reject all pending civil rights measures.

Passage of more civil rights laws, he said, will impede rather than accelerate the progress of the Southern Negro.

Friendly relations between the white and Negro races in Alabama have been severely strained in recent years, Selden said, "primarily through the interference of persons and organizations from other parts of the nation."

Selden said Southerners believe that "each new Supreme Court each new NAACP attack, and each new NAACP attask, and each new civil rights law further agitate the members of both races."

He said many people fail to realize that Southerners deal with large masses of the Negro race than with the relatively small Negro population found in other sections of the country.

Both Selden and Williams spoke against bills which would extend the life of the President's commission on civil rights beyond next November.

Williams decried what he called a wave of "anti-South hysteria" sweeping across the nation.

Williams presented federal statistics which he said showed there was a much larger percentage of major crime convictions of Negroes in integrated states than in segregated sections.

He said this could show that Southern Negroes were either more law-abiding or that Southern courts were more lenient than those in other areas against Negro defendants.

These statistics, he said, gave the lie to charges of a "reign of terror" against Negroes in the South.

In a statement forwarded to the subcommittee, Lt. Gov. B. R. Maybank of South Carolina expressed opposition to civil rights bills.

Demos Hold Voting Edge In Hawaii

Little Chance Given GOP To Obtain Seats In Congress

BY ALBERT M. COLEGROVE
Scripps-Howard Staff Writer

HONOLULU, June 18—Hawaii seems about to add three Democrats, and no Republicans, to the U. S. Congress.

The four most important jobs at stake in the June 27 primary election and July 28 runoff are two U. S. Senate seats, one post in the House of Representatives, and the governorship.

The GOP seems to have a fighting chance—but no more than that—for the governorship. William F. Quinn, 39-year-old Republican, was appointed territorial governor by President Eisenhower two years ago. Now Quinn is asking the voters to name him Hawaii's first elected governor.

Quinn is able and talented, and it's generally conceded if he wins, it'll be a triumph of personality over party. Elections in recent years have proved there are a lot more Democrats than Republicans in Hawaii.

The gubernatorial race is getting most of the attention here, largely because it'll test the current political strength of Harry Bridges' far-to-the-left International Longshoremen's and Warehousemen's Union (ILWU).

The ILWU has formally indorsed only one candidate in the primary races—Quinn's opponent, 50-year-old Democrat John A. (Jack) Burns, one-time cop now in his second term as Hawaii's non-voting delegate to Congress.

Almost 169,000 Hawaii residents are eligible to vote in the coming elections. Of these, about 25,000 are ILWU members or persons in their families.

Burns is billing himself as "The Father of Hawaiian Statehood," but Quinn's boosters feel the young governor outsmarted Burns on this score. When statehood became near certain, Quinn flew to Washington, shared the glory there and then rushed back to Hawaii in triumph, while Burns lingered behind.

TO DEMO CONFAB - Leaving here to attend in Washington, D.C. a meeting of leading Democrats from throughout the nation, to be held at the Nation's Capitol July 10 and 11 in the Hotel Sheraton, was David May. He was one of two persons selected by Democratic National Chairman Paul Butler to meet together and discuss race relations and to plan for National Democratic action in regards to these matters. Mr. May is a member of the city council of Crowley having been elected to that post in 1954 along with another Negro. He is principal of the Ross public school, deacon and superintendent of the Morning Star Baptist Church, a thirty-third degree Prince Hall Mason, vice-president of the People's Investment Company of Crowley and a member of the national fraternity Phi Beta Sigma.

Dixie Democrats Seek to Rope Down Their 'Maverick' Butler

By HAROLD L KEITH
(Courier Managing Editor)

Courier 9-5

Paul Butler is turning into a maverick as National Chairman of the Democratic party and the Southern cowboys in charge of the roundup for the 1960 presidential rodeo are having a tough time in trying to lasso the critter.

Pittsburgh Pa.

Mr. Butler, sounding off as the echoes of Independence Day firecrackers died down around the nation, kicked his heels at the traces and bitterly assailed the congressional seniority system "which lends itself to the buildup of power and influence, control of committees by Southern Democrats, when the Democrats are in control of Congress."

Sat 7-18-59

Riding in surprisingly hard from the range out Montana way was Mike Mansfield who spoke up in defense of his fellow cowherd, and Senator Lyndon B. Johnson of Texas, the big whip of the Democrats in Congress.

■

FURTHER EVIDENCE that the Southern riders might well be in the ascendancy come the 1960 Presidential Convention has been evidenced by the manner

SENATOR MANSFIELD
. . . rode in hard from Montana

in which Mass. Senator John F. Kennedy, a White House hopeful, has been hob-nobbing with the notorious race rustler from Alabama, Gov. John Patterson.

■ **What with Mr. Butler being overly critical of the manner in which the Democratic cowboys stampeded civil rights proposals in the current Congress, there is a possibility that this maverick might be earmarked for skinning.**

Most certainly, Butler's pronouncements to the effect that he had been seeking to "make the party more responsible and more responsive to the needs and demands of the people, and this can only be done on a national basis," has resulted in many cries of "whoa" among the party bigwigs.

■

HOWEVER, all indications point to the fact that Mr. Butler has been corralled by the likes of Senators Douglas and Morse and that the Democratic National Chairman is setting the stage for an all out tug of war to see who succeeds in roping and tying down the party leadership.

• Lying at the foot of the chasm between the conservative and liberal members of the party is the cactus of segregation, a most thorny issue to the party which must depend upon the votes of big Northern cities for its survival.

GOVERNOR PATTERSON
. . . the rustler from Alabama

As for the GOP ranch's reaction to all of this hard riding, the articulate range boss, Senator Everett Dirkson of Illinois kept his powder dry and had naught to say other than to regard it as a "family quarrel" and thereby being beyond his ken.

Currently leading the chase to skin the maverick are such expert "hoss men" as Senator Byrd of Virginia, Rep. William J. Dorn of South Carolina, and Rep. Sam Rayburn of Texas, suh. Most of them have called for Butler's resignation, but the steer is still on the loose and cutting up a lot of sod.

Democratic Leaders In Parley In Nation's Capitol July 10,11

Weekly New Orleans La Sat 7-4-59

WASHINGTON, D. C. (ANP) – Democrats representing every section of the country will participate in a party relations conference in Washington, D.C., July 10-11, it was announced Thursday by National Chairman Paul M. Butler.

Rep. William L. Dawson (D. Ill.), a vice chairman of the Democratic National Committee, will address the opening session of the conference, at which Butler will preside. The group will also hear introductory remarks from vice chairman Katie Loucheim, Mrs. Vol Phillips, national committeewoman from Wisconsin, and Arthur Chapin, assistant to the deputy chairman for political organization.

Panel discussions will occupy a considerable portion of the two-day session in the Sheraton-Park Hotel and will be chaired by Representative Charles C. Diggs, Jr., (Mich.) and Robert N. C. Nix (Penn.). These panels will emphasize means of strengthening Party organization and improving communications within the Party.

Participants in the conference will include Sen. Earle C. Clements, executive-director of the senatorial campaign committee, and Kenneth Harding, staff director of the congressional campaign committee who will report on "Gearing Up for the 1960 Campaign."

Another panel discussion concerning trends in voting behavior is scheduled with Dr. Robert Martin, professor of political science at Howard University, and Oliver A. Quayle, 3rd, of Louis Harris Associates, Inc.

United Front To Guard South Is Aim Of Dixie Demos

Post Herald Birmingham Ala
Sat 8-5-59

GULFPORT, Miss., Sept. 4 (AP)—Formation of a united Southern front is the top item on the agenda of next Wednesday's meeting of Southern Democratic Party leaders, Chairman Bidwell Adam of the Mississipwpi Democratic Committee said today.

He said plans also would be formulated "to keep the South from being punished and whipped by Northern radicals and moderates.

"So far as I am personally concerned," he said, "I would be happy to see all leaders of the Southern states attend the meeting."

The States Rights faction within the Alabama Democratic Party is sending a committee of three to the Wednesday meeting in the House of Representatives chamber. Alabama Democratic Chairman Sam Englehardt will be unable to attend because of prior engagements, but will send a representative.

"I think it is high time that the Southern leaders come out and boldly take a stand," Adam continued. "It will be too late after we have reached the national convention in Los Angeles. If Paul Butler is successful in his plans, the Southern delegates will be compelled to stand in the waiting line before the scrutinizing eyes of the mulatto credential bosses."

Democrats Curb Dixie's '60 Delegates

Constitution
Atlanta, Ga. Thurs. 9-17-59
P. 1.
34d

By JACK BELL

WASHINGTON (AP)—Democrats whipped through a party loyalty rule Wednesday and then agreed to jack up each state's number of delegates in the 1960 convention.

Chairman Paul Butler won voice vote approval from the Democratic National Committee on a compromise plan he worked out by which the number of presidential nominating votes will be increased in the Los Angeles convention next July to 1,511. The 1956 total was 1,372.

Although the relative strength of Southern delegations would be reduced about 1 per cent by the new alignment, Dixie members made no concerted fight against the change.

AFL-CIO declares war on Southern political machines. Story on Page 5.

Neither did they go beyond a weak chorus of "no's" when the national committee readopted the rule that convention delegates will be expected to work to get the names of the party's national nominees on their state ballots.

Nor were there any signs of a predicted move to oust Butler because of his demands for a strong party stand on civil rights. Members commented that the committee's session was the most harmonious one in several years.

Butler previously had proposed an increase in the total convention vote to 1,475.

Bowing overnight to complaints of members from states which would have lost delegates under this plan, the chairman drafted a second one under which every state would gain at least one vote. The resulting over-all total of 1,511 would require 756 votes to clinch the presidential nomination.

Atlanta 9-17-59
P. 1 & 4

Denmark Groover Jr. of Macon, Ga., came up with a substitute plan which he said would preserve the South's 1956 voting strength and would call for a total of 1,369 convention votes.

34d

The national committee assigned a subcommittee headed by Thomas H. E. Quimby of Michigan to work out a compromise. After a closed session of three hours the subcommittee reported back it had voted 7-1—with Groover in the opposition—for adoption of Butler's plan.

Democratic

By a voice vote the national committee gave prompt approval to the Quimby group's recommendation.

Butler said the convention ought to get away from the system by which states were rewarded by additional delegates for voting Democratic in elections a dozen years back.

Jacob M. Arvey, Illinois committeeman, contended Butler's proposal didn't do that. He said the chairman had "yielded to expediency" in drafting his second plan.

Arvey offered a proposal of his own under which national committee voting—now on the basis of two ballots for each state—would be revised to give each state the same number of votes in the committee as it casts in the nominating convention. He said he wants action on this matter after a required 30 days have elapsed.

Some Southerners said they believed Butler's plan was aimed at reducing their influence in the selection of a party nominee.

They noted that of a 139-vote increase over 1956 totals Southern states will gain only 18. Butler denied he was shooting at the South.

Supporters of Sen. Kennedy (D-Mass) noted that states where Kennedy's bid for the 1960 presidential nomination currently is being resisted by governors and others share in the largest increases in convention nominating votes. These gains include California 13, Maryland 6. Michigan 7, New Jersey 5, New York 16, Ohio 8 and Pennsylvania 7.

Kennedy's home state of Massachusetts will get the minimum increase of one vote. This is true also of the home states of two other potential presidential aspirants, Senators Symington of Missouri and Humphrey of Minnesota.

Symington Shuns Segregated Dinner

Jackson Daily News
Jackson, Miss. Thurs. 9-17-59 P. 3

Negroes Also Threaten Boycott Of Arkansas 'Harmony' Banquet

LITTLE ROCK, Ark. (AP)—Sen. Stuart Symington (D-Mo), mentioned as a possible candidate for president in 1960, yesterday pulled out of a speech at a state Democratic dinner here because the event will be segregated.

Symington was scheduled to appear with Speaker of the House Sam Rayburn (D-Tex) at the $10-a-plate Arkansas Democratic harmony dinner Friday night. A crowd of 4,000 is expected.

A Negro leader said Democrats of his race may boycott the dinner if segregated facilities are enforced.

Symington's chances for the Democratic nomination were considered aided by the fact that he is from a border state.

The senator said at Easton, Pa., that he had told Arkansas party officials he would not be able to attend when he learned that Negro delegates would be seated at segregated tables.

Harold Jinks of Piggott, Ark., regional representative for the Democratic National Committee and one of the dinner's chief organizers, said Symington canceled his speech in a telephone conversation. Jinks said Rayburn would speak as scheduled.

"I regret that Sen. Symington will not be present to witness this great show of party harmony and strength," Jinks said. He would make no other comment.

WON'T GO

I. S. McClinton, of Little Rock, president of the Arkansas Democratic (Negro) Voters Assn., said, "if there are any seating restrictions at the dinner, we will not go. Nor will we recommend that anyone else in the Negro community go. We don't think we should spend money to support restricted conditions."

McClinton said that, so far, only one Negro had said he will attend the dinner. He is Dr. J. M. Robinson, a Negro leader and former president of the Democratic Voters Assn. Robinson said earlier this week that "too much fuss" had been made over segregated facilities at the dinner.

Symington said he had learned the Democrats in charge of the dinner had given wide publicity to the fact that it would be segregated.

Demos Oust Louisiana Woman From Breakfast

By O. C. W. TAYLOR

NEW ORLEANS. — (Special To THE CALL) — The Young Democrats of Louisiana, a white group, refused to permit Mrs. Katie E. Whickam, president of the National Beauty Culturists' League, Inc., to remain at a breakfast in the Roosevelt hotel here in New Or-

there.

The meeting was called to plan for a visit which U. S. Senator John F. Kennedy is to make to New Orleans.

Her invitation was by telegram, signed by Russell B. Long, U. S. Senator; Hale Boggs, U. S. congressman; Victor Schiro, acting mayor of New Orleans; and four local Democrat leaders.

Mrs. Whickam had answered the telegram, and accepted the invitation as directed. At the appoint-

countering no difficulty. The meeting was just starting.

When it was discovered that Mrs. Whickahm was a Negro, all proceedings stopped. Mrs. Bland Cox Bruns, former member of the Louisiana legislature, who is well

advised her that the committee was desirous of her leaving.

Mrs. Whickam left under protest, stating that she had attended the meeting because the National Democratic party had assured her

racial discriminations would be discontinued. She also stated that she fully intended to take the matter up with National Democratic Chairman Paul V. Butler; U. S. Senator Kennedy; and the chair-

tie Loucheim.

She further stated that she planned to take the matter up with the National Beauty Culturists' League, Inc., which is holding its 40th annual convention in Philathru 15.

Mrs. Whickam concluded by saying that the National Democratic party cannot expect the full support of the Negro vote, if it continues to meet in places that are segregated.

ASKED TO LEAVE DEMOCRATIC MEETING.—Mrs. Katie E. Whickam of New Orleans, La., was asked to leave a breakfast meeting of the Young Democrats of Louisiana because of her race. Mrs. Whickam is president of the National Beauty Culturists' League, Inc., and plans to take the discriminatory action up with the National Democratic Committee. (See story at top of this page.)

Demos Financial Records Again Denied Newsmen

Chairman Sam Engelhardt of the Alabama Democratic Executive Committee refused again Tuesday to reveal to newsmen any financial records of the party governing body. He previously had declined to show the records to committee members.

Engelhardt's refusal Tuesday came only minutes after Gov. John Patterson in an interview said he felt the money records of the committee should be made public.

"I think all books of the committee ought to be open to members of the Democratic Party," Patterson said.

When Engelhardt was told this he merely smiled and replied: "He's governor."

It was apparent Engelhardt was pointing out that Patterson, as governor, had nothing to do with the state committee.

After that brief reply Engelhardt declined further comment on the matter.

Engelhardt said he planned to call a meeting of the state committee on Jan 23 at 10 a.m. at the Whitley Hotel in Mongomery at which time rules and plans will be adopted for the primary elections.

The party chief said one of the major decisions to be made at that time would be ascertaining how many delegates will be sent to the Democratic National Convention and in what geographical manner they will be elected.

"Alabama will have 29 votes at the convention, with this including one-half vote each for the national committeeman and committee woman," Engelhardt said. "That leaves 28 votes to be cast by the delegates. In talking with committee members and other party leaders it is my opinion that most of them favor sending 28 delegates with a full vote rather than 56 with one-half vote."

He said that if 28 delegates are sent that it appeared to him the best procedure would be to have two delegates elected from each of the nine congressional districts and 10 state-at-large.

Engelhardt said the only other alternatives would be three from each district and one state-at-large or one from each district and 19 state-at-large.

The chairman repeated his warning to any person hopeful of going to the convention as a delegate:

"You better take a sleeping bag or bedroll because Paul Butler has already announced the housing and seating at the convention will be given out according to the amount of money contributed to the national party," Engelhardt said. "I don't intend to give Paul Butler a red cent. Our delegates may have to watch the convention on television."

Engelhardt said Butler had already "got every hotel room in Los Angeles tied up tight."

"I have made calls, written and even sent a man out there and there isn't a room available during the convention week," Engelhardt continued. "Butler has all of them under his thumb."

34d 1959 DEMOCRATIC

Pre-Primary Battle Is Raging in Harlem

New York Times

POWELL FIGHTS TAMMANY HALL

New York

Seeks to Unseat 4 Leaders in His District—Runs for One of Posts Himself

By LAYHMOND ROBINSON

Across Harlem's tenement-studded terrain a fierce, exhausting and bizarre political war is heading toward its second showdown in two years.

The war is the outgrowth of a power struggle between two formidable Democratic factions for a valuable prize. The prize is political control of a territory that has remained overwhelmingly Democratic in one election after another since early New Deal days.

The antagonists are the forces of Representative Adam Clayton Powell Jr. and the Democratic county committee headed by Carmine G. De Sapio.

Their family fight over the right to represent Harlem's voters has kept the predominantly Negro area in a high state of agitation for nearly two years.

The struggle has embittered some voters and puzzled others. It has also brought some rare entertainment to Harlem's hot and crowded streets.

Anti-Tammany Drive

The Powell-Tammany feud this year centers on a drive by the Powell forces to oust Tammany leaders from four assembly districts that lie either wholly or partly within Mr. Powell's Sixteenth Congressional District.

The 50-year-old Mr. Powell is an insurgent candidate for leader in one of these districts. He is seeking to dethrone Elijah L. Crump, 57-year-old business man and Tammany incumbent, in the Twelfth Assembly District, South, where Mr. Crump has been leader for four years.

In another key race, a Powell-backed condidate is seeking to replace Hulan E. Jack, Manhattan Borough President, as leader of the Fourteenth Assembly District, West, a party office Mr. Jack has held since 1948. The challenger is John L. Edmonds, 32-year-old lawyer.

The showdown date, or Judgment Day, as it is sometimes called in Harlem, is next Tuesday, when party members vote in the primary election.

The Tammany-Powell hostilities originally began on May 15 of last year. On that day the Tammany leaders in Mr. Powell's Congressional district voted, with one exception, to refuse him the party's renomination for Representative, a post he had held for fourteen years.

Powell Rewards Friend

Significantly, the Tammany leader who stood by Mr. Powell then—Assemblyman Lloyd E. Dickens of the Thirteenth Assembly District—is not being opposed by Mr. Powell or any of his followers for the leadership this year.

This fact, however, did not prevent an energetic young lawyer, Percy E. Sutton, from challenging Mr. Dickens for the leadership in the Eleventh A. D.

Mr. Sutton, 39, disclaims any affiliation with either the Powell or Tammany camp. Mr. Dickens, 57, is a real estate broker, whose family has been politically active in the area for more than a quarter century. His battle with Mr. Sutton completes the list of five leadership contests in the Sixteenth Congressional District.

In refusing to support Mr. Powell for the nomination for Representative last spring, the Harlem leaders, including Mr. Jack, contended that he had betrayed the Democratic party by backing President Eisenhower, a Republican, in the 1956 Presidential race. They dubbed him "Mr. Turncoat."

The Tammany decision to drop Mr. Powell came shortly after his indictment by a Federal grand jury here on charges of income tax evasion, though it was denied that this had figured in the decision. Trial on the charges is still pending.

The Harlem Representative was quick to strike back. He charged that Tammany was trying to "crucify" him because he had never been "a hat-in-hand Negro" who took orders from Mr. De Sapio.

He castigated Mr. De Sapio as a "plantation boss" and denounced the Harlem Democratic leaders, particularly Mr. Jack, as "plantation hands and Uncle Toms who jump when the boss cracks the whip."

Rallying his supporters, he announced that he would run as an independent for the nomination. Tammany Hall countered by putting up City Councilman Earl L. Brown, an assistant editor of the magazine Life, to run against him.

Big Victory for Powell

Employing his well-known "give-em-hell" style of oratory, Mr. Powell pounded away at the "bossism" theme. He trounced Mr. Brown by a 3-1 margin in the Aug. 12 primaries. He thus won the first showdown in his war with Tammany.

Can the Powell team do it again? As the second showdown nears, opinion among political nonpartisans in Harlem is sharply divided.

Some observers in the area believe that the Powell slate, which again this year is hammering away on the "bossism" and "Uncle Tom" issues, can sweep the four races in which its candidates are entered.

But a significant number of persons close to the Harlem scene feel that Mr. Powell and his allies are in for heavy weather in their attempt to dislodge all four leaders.

These observers cite several factors that may cause a majority of Harlem's Democratic voters to throw their weight behind all or most of the incumbent Democratic leaders in the primary.

For one thing, these analysts point out, the Harlem Tammany leaders have made strenuous efforts to endear themselves to the voters since last year's setback. They note that the Tammany incumbents have stepped up the dispensation of patronage and broadened their usual list of personal services to constituents.

Most active of all Tammany leaders in this area, these observers note, has been Borough President Jack, who has been carrying out what has been nicknamed "Hulan's Crusade" against slum conditions in the area.

Mr. Jack himself argues that he is not a Johnny-come-lately in the fight against slums. He says his reason for stepping up the drive against poor housing conditions at this time is that these conditions have been growing worse. His attack on poor housing conditions has gained him considerable publicity in the newspapers.

Service Is Stressed

Mr. Jack and the other Tammany candidates are stressing their records of services to the community. A feature of their campaign is the contention that they have more power to obtain jobs and civic betterment for Harlem within the regular organization than the Powell followers have as independents.

The Powell group argues that its opponents have developed "a fake, overnight interest" in slums and other matters in Harlem. In his campaign against Mr. Jack in the Fourteenth Assembly District West, Mr. Edmonds charges that "these slums have been festering for years and if Uncle Tom Jack wanted to do something about them he could have years ago."

He and others in the Powell camp argue that they would provide more democratic leadership and can be more responsive to the wishes of the people. They describe the political jobs the Tammany leaders have parceled out in their district as "crumbs, not plums."

The observers who contend that the Powell slate is in for a rugged fight also note that up to last week-end Mr. Powell had not done any campaigning either for himself or his three running-mates.

He underwent an emergency appendectomy on July 30, and only last Saturday returned from Puerto Rico, where he had been recuperating. Mr. Powell, a fiery orator who has few peers on the sound trucks, has hit the campaign trail, however, and appears to have shifted into high gear.

J. Raymond Jones, former Tammany power who is running as an insurgent on the Powell ticket in the Thirteenth Assembly District, East, discounts the view that Mr. Powell's late entry into the fray has harmed the group's chances.

"The people already know what our team stands for," he says. "They know that our basic aim has always been to reform Tammany Hall and a few speeches won't make that much difference."

There is still another factor that may affect the ability of the Powell slate to sweep the leadership contests, it is said.

Truce Last Year Recalled

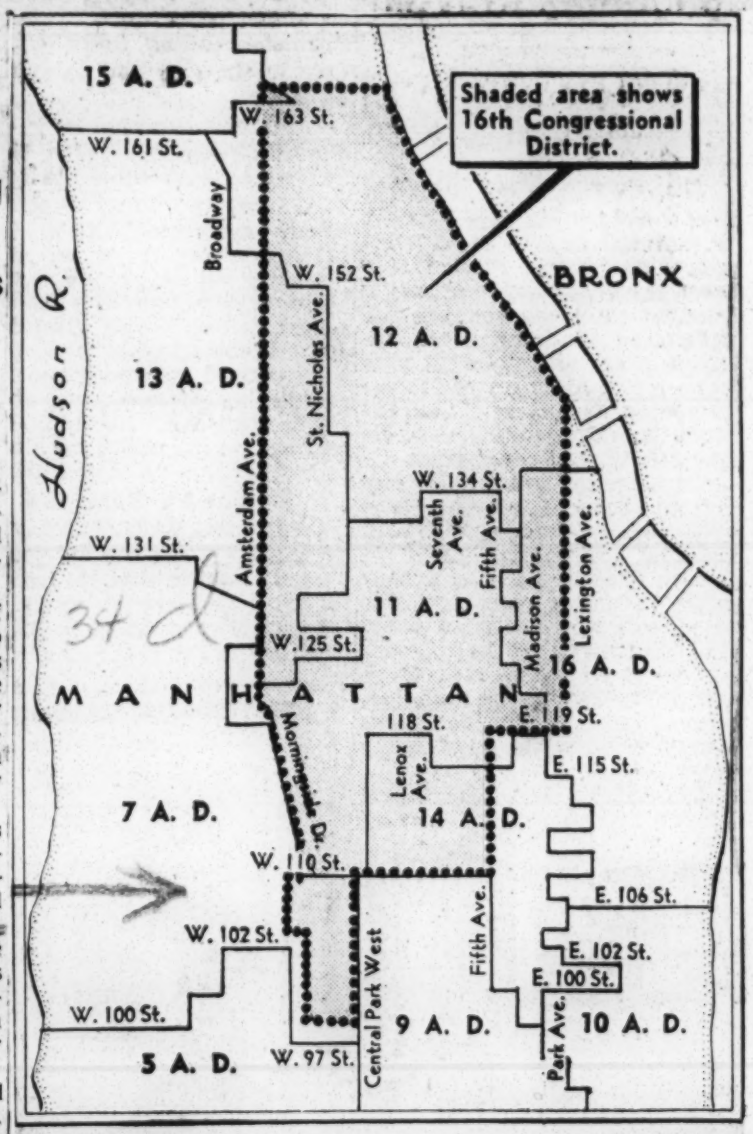
This is the possibility that Mr. Powell may have damaged his reputation as an anti-Tammany crusader last fall when, after his triumph over Mr. Brown, he effected a reconciliation with Tammany to campaign for Gov. Averell Harriman.

This caused anger and resentment among some Powell supporters who thought the Harlem Representative would remain independent. By the same token, these observers noted, these same supporters might be puzzled by Mr. Powell's decision to resume the war against Tammany after last year's truce.

Mr. Powell has contended that the reconciliation last year was for the good of Harlem. He also said he would not go back on his pledge to "clear out the Tammany wreckage" in this year's leadership fights. The "wreckage" was his term for those Tammany leaders who opposed him for the nomination for Representative.

Mr. Crump, Mr. Powell's opponent in the Twelfth South, has charged that Mr. Powell wants to be married to and divorced from Tammany at the same time. He has also accused the Harlem Representative of spending very little time in Harlem and contends that "he is a part-time Congressman, but he would be a no-time district leader."

Mr. Crump, a tough political in-fighter, has further pounded



The New York Times Sept. 8, 1959

HARLEM: Congressional District (shaded) and Assembly Districts in fight between Powell and De Sapio supporters.

at Mr. Powell for the assertion that he was considering backing Senator Lyndon Johnson of Texas, a Southerner, for the Presidency next year.

"It's a sad day when a Negro backs a Scuthern politician for anything," Mr. Crump declared.

Next to the Powell-Crump and Jack-Edmonds contests, the most interesting and in some respects the most curious leadership tussle in Harlem is the three-way battle in the Thirteenth East.

Contending for the right to represent this district's voters are Mr. Jones, Antonio T. Rasmus, the Tammany incumbent, and State Senator James L. Watson, making his first leadership bid.

Jones an Ex-Tammany Man

Mr. Jones, 59, and a business man, was Tammany leader of the district from 1944 to 1952. He is now trying to regain it as an anti-Tammany candidate, having broken with "the Hall" last year when he managed Mr. Powell's primary fight against Mr. Brown.

He charges that Mr. Rasmus is "nothing but a De Sapio puppet" and suggests that Senator Watson entered the race at De Sapio's bidding in an effort to split the votes and block his attempt to regain the district.

Mr. Watson, who is 37, says his aim is to bring "youthful and aggressive" leadership to the area and denies that Mr. De Sapio had anything to do with his decision to run.

He charges that voters of the district have no confidence in Mr. Rasmus and Mr. Jones. He contends that Mr. Jones, as a Tammany leader for eight years, "was a representative of and a participant in all the evils he now condemns." He says Mr. Jones would be as much of a boss as Mr. Rasmus. "I am as much opposed to uptown bosses as I am to downtown bosses," he asserts.

Mr. Rasmus, 44, and secretary to Board of Elections Commissioner Dennis J. Mahon, accuses both Mr. Jones and Mr. Watson of seeking the district leadership for "selfish ends." He says he has represented the people in the area better than anyone in the past and is content to run on his record.

The fight that is causing the least commotion is the one in the Twelfth A. D. North. There Mark T. Southall, a real estate broker backed by Mr. Powell, is challenging Cecil E. Carter, real estate broker and also the research director in Mr. Jack's office. Mr. Southall, a bachelor of 48, is running on the "bossism" issue and Mr. Carter, who is 68 and has been leader since 1955, is running on "my good record, which everybody knows about."

As these fights move toward a showdown, Harlem's people may not be certain about who is going to win them. But of this they are certain: These struggles have produced bitterness and cleavages in the community that will remain long after the hot winds of political debate have blown away.

34d 1959

DMC told to continue to push for "Negro representation" against odds

Los Angeles Sentinel
Jul 11-27-59

DEMOCRATIC

The Democratic Minority Conference was told that it was born in "the upsurge that has inspired the clamor for independence in Africa and Asia,' and that it "ought to press . . . vigorously for the election of Negroes to public office" in accordance with the times in which "colored peoples are in revolt against ancient . . . customs, traditions and practices which have assigned them to inferior or subordinate roles . . . (and) are tired of being the eternally governed (and) want to participate in government."

The speaker was Loren Miller, CEO in San Francisco last month with A. Philip Randolph crying out against jim crow auxiliaries and laying plans for a Negro Labor Council.

local attorney and publisher and main speaker at the DMC's third annual banquet Saturday at the Nikabob cafe.

Asked to speak on the "role" of the DMC in politics and the community, Miller reminded the banquet that "there is a common denominator of discontent" among colored peoples, who are "restive because they have been denied the right, or privilege, of shaping. . . their own destinies."

Miller, who has been mentioned repeatedly as a possible appointee of Governor Brown to the judiciary and has outstanding record of civil rights advocacy, urged the DMC to face the reality that elections of Negroes are "possible, or at least probable, only in those political subdivisions in which colored voters are in the majority, or comprise a decisive minority.

"It (DMC) ouht to urge the appointment of Negroes to official positions in every branch of government and. . .it ought to lay bare the sham argument that the 'best qualified man' is the man best known in the general community; it ought to examine every program in housing, or schools or every other device of the welfare state to determine whether or not those programs will eventuate in discrimination or segregation, regardless of benefits, and when it finds they will do so, it ought to oppose them until non-discriminatory safeguards are devised.

"Until it performs these tasks, it will not serve the very purpose that called it into being, that of destroying barriers that subordinate colored peoples in our political life," Miller stated.

DISCONTENT BRED

MONTGOMERY BOYCOTT

Miller said the "common denominator of discontent" bred the Montgomery bus boycott. . ."It boiled over at the meeting of the AFL-

"Adam Clayton Powell rode the crest of this wave of restlessness in Harlem last year and crushed the regular Democratic organization which tried to unseat him. He railed against DeSapio and decreed that the political boss was trying to make Harlem his private plantation, and voters responded, snowing under his opposition.

"It bubbled to the surface in Philadelphia and forced the appointment, and consequent election, of a Negro circuit judge and the selection of a Negro congressman."

Miller said there are many "who are dismayed by this new spirit" and typify it as a "rising tide of Blackism . . .Angry labor leaders have branded Randolph's proposed Labor Council a form of self-imposed segregation."

Remarking on the fact that many whites tell Negroes they aren't "ready", he said we are "assured, by inference at least, that when that 'ready day' comes, our kind benefactors will let us know. Meanwhile, they are alarmed at every manifestation of restlessness, at every attempt to undermine the old order and to change old ways.

JIM CROW IN REVERSE

"Every move on the part of the Negro voter to adjust his voting to political realities and to elect Negroes where he can, is stormed at as 'jim crow in reverse'," Miller said. "The pretense is that office holders, elective and appointive, are now selected on the basis of qualification and without reference to race or color. . . .

"The truth is otherwise. There were two Negro senators from the South when Negroes voted in Mississippi; there were Negro congressmen from the South when Negroes voted in the South. There are four Negro congressmen today—every one of them from a district in which Negro voters are decisive. Every Negro in the North and West, including California, owes his election to Negro voters."

Miller pointed out that 30 years ago, "In 1930, there was not a single Negro judge. . .in the entire United States."

He added: "There are more than a hundred judicial officeholders today, put there, kept there, because of the pressure of Negro voters, as such, on the politicians who make appointments and control elections. The same assertion could be made of other Negro—office holders in appointive positions.

"This does not mean that these Negro appointees have lesser qualifications than their white counterparts, or that they hold office simply because of their race. What it does mean is that voter-pressure has compelled governors, and mayors, and even Presidents, to. . .seek out and appoint Negroes of merit."

Miller noted it as one of the great human tragedies of our times that the color prejudice system that blankets the nation submerges Negroes and obscures their talents. The Negro doctor, the Negro lawyer, the Negro business man must practice his profession or conduct his business in the Negro ghetto. . .

Ironically . . .he may become known to the general community only in so far as he fights against the restrictions that hem him in."

Miller continued: "when an office holder announces that he will appoint the best man for the job regardless of color or race, and actually pursues that ideal, his eye will light on the man, or woman, who has earned a reputation in the general community and that person will be a white person. The very attempt to be fair leads to unfair

ness. American life is discriminatory; it stifles the talent and circumscribes opportunities for members of colored minorities. And he who goes along with the mainstream of American life will act in a discriminatory manner, regardless of good motive, or excellent intent.

But we who know from bitter experience how men and women and children are drowned in dismal swamps of segregation ought not to hold our peace. The choice is hard. Our duty is clear.

Miller told the DMC audience that "Negro, and other minority group, voters have concerns beyond the area of civil rights. They have a vital stake in old age pensions, in protection of labor unions, in child welfare measures, in assuring an adequate supply of housing, in protection of civil liberties, in a water program that will keep pace with growth and need; in short, whatever concerns any human being concerns them. A political organization that neglects these problems falls short of assuming its responsibilities."

He said that "despite its many shortcomings the northern Democratic party offers the best hope for realization of sound social goals; it is an urban party—the party of city dwelling workingmen and middle class citizens and the overwhelming majority of minority group voters fall within these clossifications. If DMC is to serve the whole interests of those to whom its appeal is addressed it seems to me that it must function within the Democratic party.

Miller said that, "The conclusion is inescapable that the support accorded the Democratic party by DMC ought to be a critical support, but support coupled with never ending demands that practice square with preachment. This is not an easy role. On the one hand there can be no compromise with principle; on the other hand DMC must bear in mind that politics in a democracy is the art of compromise in the field of tactics. Nor can DMC neglect the fact that it must have friends and supporters; allies and

Closing, Miller said, "the end the DMC should seek is a political commonwealth in which every man, of his merit and ability and without reference to the irrelevancies of race or color. That end can be achieved, that end will be achieved, by the enactment of legislation that will provide security for the unfortunate young, for the handicapped, and the aged, that will safeguard the rights of the worker and that will enhance the economic life of the state and the nation; by other legislation with the avowed purpose of eliminating discrimination in every aspect of American life; by subjecting every piece of legislation to rigid scrutiny to make certain that laws fair on their face cannot be administered, as housing legislation has been administered, to implement segregation; by the election of office holders of vision and steadfast purpose and by unending insistence that pledges of fair dealing be honored after election; by the election and appointment of colored persons to public office where their very presence will serve as symbols of democracy in action and as a refutation of the commonly held belief that only white persons are competent to administer the affairs of state; by a civil service that recruits and promotes on the basis of merit, and by constant demands for the observance of political equalitarianism in the executive, legislative and judicial branches of government.

"This is no program for the fearful or the faint hearted," he said.

"It will incite opposition from those with real or fanciful stakes in the preservation of the color prejudice system.

"It will dismay advocates of that false moderation who urge us to accept what we have and beg for what we ought to have.

"It will frighten politicians who place expediency over principle.

"It will exact sacrifices from those who propose it and those who give allegiance to it.

"But equality is not easily gained. It is a bright jewel reserved for those who have the courage to seek it at the end of a long and tortuous climb toward the stars."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
TUSKEGEE INSTITUTE

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MRS. KATIE E. WHICKHAM of New Orleans, La., president of the National Beauty Culturists' League, is shown as she recently visited Senator John F. Kennedy in his Washington office. Mrs. Whickham says she is supporting the senator for the Democratic presidential nomination.

Alabama Young Demos Claim Elections Victory For South

The Southern cause may be headed for better days if last month's national convention of Young Democratic Clubs of America is any indication.

Alabama's Young Democratic leaders returned from the Toledo, Ohio, convention, claiming significant victory for the South in the elections.

Said state Rep. McDowell Lee, Clio, Ala., national YD committeeman:

"Two of the top four elected officials are from the South, as are the legal counsel and vice chairman of the Board of Regional Directors."

Lee was appointed regional director.

A Tennesseean, Pat Patterson, was named first vice president; Nancy Vaughn, Virginia, woman's vice president; Hart Vann, North Carolina, was appointed vice president of the Board of Regional Directors, and Marjorie Thurman, Georgia, was appointed chief legal counsel.

Elected president was Ray Schafer of Pennsylvania second vice president, Ken Davis, Kansas; secretary, Howard Rickert, Jr., Ohio, and treasurer, Jack Rice, Connecticut.

A new stratagem was employed by Southern delegates to elect a slate of officers "very acceptable" to the South, Lee said. A southeastern YD caucus was held in Atlanta prior to the convention and tactics were discussed.

Then at the convention, Lee helped whip into line "most northeastern states and scattered midwestern support" to join the southeastern states, but vociferous floor fights were avoided.

"We did not allow the incumbent ultra liberals to trick us into useless floor fights on resolutions, but rather used our combined strength to elect a group of officers acceptable to us all," said Lee.

The "Solid South" continued to fight all civil rights resolutions but at the same time was successful in obtaining new officers more friendly to the South."

Jim Wright, Montgomery, president of Alabama Young Democrats, said "Our group approached the problems of this convention with mature good judgment and was successful. This is an excellent example of working out our problems within the framework of the Democratic Party."

Lowell Hardin, Tuscaloosa, state secretary, said, "This convention was the most successful one I have ever attended. We knew what we had to do and we did it."

Also representing Alabama at the convention were Pat Higgenbottam, Sonny Hornsby and Dave Elwinger.

Kennedy offers her his apology

(Photo on Page 3)

NEW ORLEANS, La. — Senator John F. Kennedy, aspirant for the Democratic Party's presidential nomination, apologized to Mrs. Katie E. Whickam for the treatment she received, last September, at the hand of Louisiana Democrats, Mrs. Whickam told the AFRO on Friday.

"He regrets the incident and says he abhors all forms of racial discrimination," Mrs. Whickam said.

Reference was to an incident which occurred here last Sept. 25 when Mrs. Whickam, president of the National Beauty Culturists's League, was asked to leave a meeting of Democrats at the Roosevelt Hotel here.

* * *

THE GATHERING consisted of local Democratic leaders whose purpose was to make plans for a meeting at which Senator Kennedy was to appear as the guest speaker.

Mrs. Whickam received an invitation to attend. It was over the signatures of Senator Russell B. Long, Rep. Hale Boggs and Victor Shiro, acting mayor of New Orleans.

However, when Mrs. Whickam arrived at the meeting, she said she was told by Mrs. Bland C. Burns the committee wished her to leave.

Although Mrs. Whickam left as requested, she told the group she would protest to both Senator Kennedy and the National Democratic Committee.

* * *

SHE SAID that at the recent meeting of Democrats in Washington she called the matter to the attention of chairman Paul Butler.

Butler told her, she said, that he had been trying to get Democrats to hold their meetings in places where all Democrats, irrespective of race or color, could attend.

She said the national chairman also expressed his regrets.

* * *

When Mrs. Whickam visited Senator Kennedy's office, she said she told him how impressed she is with his views on national and international issues.

* * *

"PERSONALLY, I am supporting him for the Democratic nomination for the Presidency," she told the AFRO.

Also, Mrs. Whickam revealed that she invited the senator to speak before the board of directors of the Beauty Culturists' League next Jan. 24 when the group meets in Washington.

"I am going to recommend to the board that it vote to support Senator Kennedy and campaign for his nomination," she declared.

Another '60 'Hopeful'

The Afro-American
Baltimore, Md.
11-7-59

Symington, yes; but Kennedy, no

LITTLE ROCK, Ark. — Democratic Presidential hopeful Stuart Symington of Missouri joined Michigan's G. Mennen (Soapy) Williams as being dead set against segregation last week.

When he learned that colored Democrats were to be segregated at an Arkansas party "harmony" dinner last Friday night, he flatly refused to appear as main speaker.

Last year, Gov. Williams turned down a similar main-speaker's spot in Birmingham when he learned that colored Democrats would not be admitted.

* * *

IN CONTRAST, Sen. John Kennedy of Massachusetts, a third entry in the Democratic nomination race, spoke for a segregated meeting in New Orleans.

Mrs. Katie Whickam, prominent business and political leader there, had wired him saying that she had been refused admission to the meeting because of her color.

Still to commit themselves by their actions are the other Democratic hopefuls: Hubert Humphrey, of Minnesota; Robert Meyner, New Jersey; Pat Brown, California, and Lyndon B. Johnson, Texas.

* * *

THE DINNER meeting that Sen. Symington boycotted was originally billed as a "great show of harmony and strength." However:

1. Fewer than half of the 4,000 persons expected at the $10-a-plate dinner showed up although 3,500 tickets were reportedly sold;

2. Four former governors, all influential, also boycotted the dinner. They are Ben Laney, Sid McMath, Homer Adkins and Francis Cherry; and,

3. According to one report, no colored persons showed up although a batch of tickets had been sent to Dr. J. M. Robinson for distribution. He had earlier been quoted as saying he would attend.

* * *

TO MAKE things worse, the substitute speaker who did appear, House Speaker Sam Rayburn, told his audience that any candidate could win the presidential nomination without the solid support of any one section of the country — the South included.

He told newsmen that Sen. Symington's refusal to speak "isn't any of my business."

Pressed for his views on integration, he said: "I don't discuss integration. I think it would be a very wise idea to let things die down."

The guests at the affair served themselves to fried fish and chicken served buffet style — they had to serve and carry their own plates.

Absent from the dinner was former Rep. Brooks Hayes, a moderate, who was defeated for reelection by Dr. Dale Alford, a leader in the anti-integration movement.

Gov. Orval Faubus was present, however.

* * *

FROM the list of those present and those absent, local observers see an indication that moderates will shy away from anything Gov. Faubus is involved in.

The boycott of the dinner by colored Democrats came about when they were told that seating would be segregated. I. S. McClinton, president of the Democratic Voters Association, said:

"If there are any seating restrictions, we will not go nor will we recommend that anyone else in the colored community go.

"We don't think we should spend money to support restricted conditions."

Colored Democrats in Arkansas said that now the dinner is over, no attempt has been made by the White political figures to patch up the breach caused by the jim crow affair.

One observer said that the vote will not be affected as colored Democrats will vote for the man rather than the party. Thad Williams, legal advisor of the Arkansas Voters League, said:

"The one man colored people will not vote for is the present governor (Faubus)."

34d 1959

Demo Convention Votes Under Butler's Proposal

time - Pleasure
New Orleans La.

WASHINGTON (AP)—The following table shows the number of votes each state and territory would receive in the 1960 Democratic national convention, compared with 1956, under a plan proposed Saturday by Democratic national chairman Paul M. Butler to abolish the bonus system:

	Basic Number 1956	Bonus 1956	Total Vote 1956	Proposed Total Vote 1960
Alabama	22	4	26	30
Alaska	6	0	6	10
Arizona	8	8	16	12
Arkansas	16	10	26	22
California	64	4	68	82
Colorado	12	8	20	17
Connecticut	11	4	20	22
Delaware	6	4	10	10
Florida	20	8	28	27
Georgia	24	8	32	32
Hawaii	6	0	6	10
Idaho	8	4	12	12
Illinois	54	21	64	70
Indiana	26	0	26	35
Iowa	20	4	25	27
Kansas	16	0	16	22
Kentucky	20	10	30	27
Louisiana	20	4	2 4	27
Maine	18	4	14	15
Maryland	18	0	18	25
Massachusetts	32	8	40	42
Michigan	40	4	44	52
Minnesota	22	8	30	30
Mississippi	16	6	22	22
Missouri	26	12	38	35
Montana	8	8	16	12
Nebraska	12	0	12	17
Nevada	6	8	14	16
New Hampshire	8	0	8	12
New Jersey	32	4	36	42
New Mexico	8	8	16	12
New York	90	8	98	115
North Carolina	28	8	36	37
North Dakota	8	0	8	12
Ohio	50	8	58	65
Oklahoma	16	12	28	22
Oregon	12	4	16	17
Pennsylvania	64	10	74	82
Rhode Island	8	8	16	12
South Carolina	16	4	20	22
South Dakota	8	0	8	12
Tennessee	22	10	32	30
Texas	48	8	56	62
Utah	8	4	12	12
Vermont	6	0	6	10
Virginia	24	8	32	32
Washington	18	8	26	25
West Virginia	16	8	24	22
Wisconsin	24	4	28	32
Wyoming	6	8	14	10
Canal Zone	3	0	3	4
District of Columbia	6	0	6	9
Puerto Rico	6	0	6	7
Virgin Islands	3	0	3	4
Totals	1092	280	1372	1475

DEMOCRATIC

Ike's Plan To Outlaw Job Bias Is Cut Out Of House Rights Bill

Bipartisans Help Dixie Kill 'FEPC'

Constitution
Atlanta Ga.
Thurs. 7-30-59

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON — Southern Democrats, with bipartisan help from other parts of the nation, chipped away again Wednesday at force provisions in a civil rights bill.

The House Judiciary committee, in closed session, voted to eliminate from the bill a proposal by President Eisenhower to enforce non-discrimination in employment on government contracts.

According to committee sources, the vote was a rather surprising 16 to 12 victory for the Southerners in rejecting what the Dixie forces had branded as another "FEPC" (Fair Employment Practices Commission) proposal.

SEEK MORE CUTS

The Southerners scored a major victory Tuesday when the committee struck from the bill a "Part Three" provision designed to force integration of the schools in Dixie. It would permit the attorney general to seek federal court injunctions to enforce all manner of civil rights, including the right to attend a non-segregated school.

Wednesday's lesser triumph in striking out the so-called "FEPC" proposal, encouraged Southerners to hope for still further weakening of the bill in committee this week.

In addition to the Southern opposition, a factor in the vote against the non-discriminatory employment provision was said to be fears by some committee members that it might cause some conflict with labor unions.

LESS PRESSURE SEEN

The trend of voting and deliberations in both House and Senate Judiciary committees thus far indicates what some Northern radicals have publicly admitted—that there is not as much steam in Congress this year for harsh civil rights laws as there was in 1957.

However, Chairman Celler (D-NY) and other civil rights advocates, will attempt to get some sort of bill reported out of the House Judiciary Committee this week, even if it is modified further.

The committee will meet again Thursday to take up proposals advanced by the Eisenhower administration on anti-bombing legislation and on school integration.

The latter provisions contain some "sleepers" that Southerners are certain to fight vigorously. One would, in effect, put Congress on record as endorsing the Supreme Court's 1954 school desegregation decision.

Constitution

Another would provide federal aid for school districts trying to desegregate. Still another, under the guise of providing education for the children of armed services personnel, has been interpreted by Southerners as really going much further. They argue it could permit the government to seize and operate schools built with federal aid that are closed down to avoid integration.

Thurs. 7-30-59

The House committee approved Wednesday one relatively non-controversial proposal to extend the life of the Civil Rights Commission until 1960.

Already approved is another section making it a federal crime to interfere with federal court orders in desegregation cases. The Southerners oppose this on the grounds it could restrict freedom of speech and of the press.

The committee also approved Wednesday another provision requiring state election officials to preserve voting records for two years and make them available for federal inspection. However, the committee reduced the penalties proposed for failure of election officials to comply.

Originally, the administration proposals called for preservation of voting records for three years. The proposed penalties for willful destruction of voting records were reduced by the committee from a fine of $5,000 and five years in prison to a fine of $1,000 and one year in prison.

BUTLER OFFERS NEW VOTE PLAN

Says Scrap Bonus System at Dems Convention

By D. HAROLD OLIVER

WASHINGTON (AP) — A new plan for allocating votes in the 1960 Democratic National Convention was advanced Saturday by Paul M. Butler, national committee chairman.

The plan would scrap a complicated bonus system in use since 1944. Butler termed that system not fair or equitable.

Butler will seek adoption of his new plan at a meeting of the committee here next Wednesday, along with another resolution dealing with the good faith of delegates. Fights loom over both issues.

MEMBERS SENT COPIES

Butler has mailed copies of his delegate apportionment plan to committee members. Under it, the 1960 convention would have 1,475 votes as compared with 1,372 in 1956; a possible 2,950 delegates as against 2,744 in 1956, and 1,475 alternates compared with 1,896 in the last convention.

Thirty-two states and territories would gain votes over their 1956 allocation; 15 states, including the three Southern states of Arkansas, Florida, and Tennessee, would lose votes. Seven states would have the same number as in 1956.

Butler proposed that each state get three votes for each U. S. senator, instead of the bzsic two as before; two and a half votes for each House member instead of two, and one-half vote for each of its two national committee members who would be ex-officio delegates.

Wherever this distribution resulted in a fractional vote for any state, the next highest number would be used. For example, Alabama's allotment comes to a mathematical 29½ votes but it would get 30 votes.

BONUS FOR 1948 VOTE

There would be eight votes for the District of Columbia, six for Puerto Rico, and three each for the Virgin Islands and Canal Zone.

States could elect one delegate with a full vote or two delegates each with one-half vote for each of the proposed votes, except those of the national committee members.

Butler noted that the bonus system gave states bonus delegates at the 1956 convention for their presidential vote in 1948.

The bonus system as employed in 1944 and 1948 gave states four additional votes for returning a majority vote to the Democratic presidential ticket in the prior election. In 1952 another bonus of two votes was granted to a state for each congressional district lost under the 1950 reapportionment.

DISTORTED, SAYS BUTLER

In 1956, two additional bonuses were voted. Four votes each were authorized for states going Democratic in the 1952 presidential race and election of a Demo-

HUMPHREY PREDICTS SOUTHERN SUPPORT

WASHINGTON, July 26 (UPI) — Senator Hubert H. Humphrey said today he would expect to do "right well" in the South despite his strong civil rights views, if he won the 1960 Democratic Presidential nomination.

The Minnesota Democrat said he still had not become a formal candidate even though his supporters had established a national campaign organization. However, he freely discussed his strategy should he make the race.

If he became a candidate, Mr. Humphrey declared in a panel interview over the Mutual Broadcasting System, he expected to do the following:

¶Campaign in the South and "do right well" on farm and other issues apart from the racial question. He said he expected his vigorous style of campaigning would be attractive to Southwesterners.

¶Enter the Wisconsin preferential primary, despite Gov. Gaylord Nelson's stated hope that there would be no clash between Mr. Humphrey and Senator John F. Kennedy, Democrat of Massachusetts in the primary.

¶Stay out of the California primary if Gov. Edmund Brown runs alone there as a "favorite son" candidate. If Mr. Kennedy entered, Mr. Humphrey said, he might have to "re-assess" his position.

This was Mr. Humphrey's first appearance on a panel show since the Columbia Broadcasting System canceled his appearance on a similar program on grounds that he was a Presidential candidate.

It said his appearance would leave the network open to demands for equal time for anyone claiming to be a Presidential candidate.

—Photo by The Times-Picayune.
EDWARD G. KOCH JR.

cratic governor or senator in 1952 or 1954.

The net result of this bonus, on-bonus formula, Butler said, was a "grossly distorted representation" in the 1956 convention. Two states, he said, had bonuses exceeding the number of their basic votes.

"A state party organization may be doing a good job in building up the Democratic party and still fail to carry the state for our Democratic presidential nominee," Butler said. "Conversely, the bonus system operates to give an advantage to some states which normally elect Democrats as governors and senators and fail to give adequate support to the Democratic presidential nominee."

INEQUITIES SEEN

Butler said the bonus formula invariably results in inequities for the medium and larger states.

He said a proposal is being considered by some committee members he did not name which would award a new bonus for the 1956 and 1958 elections on top of the earlier bonuses.

"I do not believe," Butler said, "that we should pile bonus upon bonus and inequity upon inequity. Neither should we continue to enlarge the total number of delegates and alternates to the point where the convention becomes unwieldy."

NEGROES BOYCOTT DEMOCRATS' FETE

Arkansas 'Harmony' Dinner Starts Disharmoniously—Many Whites Stay Away

By CLAUDE SITTON
Special to The New York Times.

LITTLE ROCK, Ark., Oct. 30 —This state's Democrats sat down tonight to a "harmony" dinner but the absence of a key speaker and numerous party members gave mute testimony to the lack thereof.

Negroes boycotted the affair because, while they could choose whether to eat chicken or shrimp, they had no choice as to seating, which was strictly segregated.

Many whites, some of whom held tickets, failed to show up. They sai dthey objected to the admission of Negroes, segregated or not. Negroes have attended Democratic functions here in the past but have been seated separately with few exceptions.

Party officials had estimated at first that 5,000 persons would attend. They conceded tonight that only 3,000 tickets had been sold for the $10-a-plate dinner in the Barton Coliseum.

Rayburn Urges Unity

In a keynote address, House Speaker Sam Rayburn attacked the Eisenhower Administration and pleaded for Democratic unity in next year's Presidential election. Mr. Rayburn, a declared supporter of Senator Lyndon B. Johnson for the party's Presidential nomination, had been scheduled to share the platform with another potential candidate—Senator Stuart Symington of Missouri.

Mr. Symington canceled his appearance after learning that the audience would be segregated and that this fact had been publicized widely.

This drew the fire of state party leaders from Gov. Orval E. Faubus on down. Mr. Faubus said a "re-evaluation" of the Senator as a candidate was in order.

The development also underscored what some observers saw as a growing belief among Presidential hopefuls that Southern support bought on Southern terms could be more of a liability than an asset.

School Fight Recalled

On the local level, it gave evidence of the Negro community's increased militancy in its struggle for equal rights. This was seen here as a product of Little Rock's long and bitter school desegregation struggle. A similar attitude has become increasingly apparent elsewhere in the South.

In a news conference following his arrival by plane from his home in Bonham, Tex., Mr. Rayburn refused to discuss the apparent party disharmony in Arkansas or the issue of civil rights.

He said he came here because "I understand the Democrats of Arkansas are trying to get together. That pleases me very much."

Later he said it appeared that Arkansas would "be united behind the Democratic party candidate" in the 1960 election. He has been told, he went on, that "all elements of the party are participating in this dinner."

The Speaker was asked if this included Negro Democrats. "I hope so," he replied.

In reply to a question on the chances of a Roman Catholic in the race, he noted that he had campaigned for the late Alfred E. Smith in 1928 when he was the party's nominee and added:

"I have no religious or racial prejudice myself. I want everybody to get to heaven their own way."

Alabama Advised To Withhold Dues

Patterson Wouldn't Pay Up Until Butler Ousted

MONTGOMERY, Ala., Nov. 13.—(UPI)—Gov. John Patterson said Friday he does not believe Alabama should pay its dues to the national Damicratic Party until Chairman Paul Butler steps out of the driver's seat.

Mr. Butler announced this week those states paying their dues in full would receive the best accommodations at the convention in Los Angeles next year.

Gov. Patterson said Butler threatened in a letter to give Alabama the "poorest accommodations" and the "worst seats" at the convention.

"I want to go to the convention at Los Angeles next year," Patterson said, "but it seems Paul Butler has all the rooms reserved. We are having a tough time trying to find good accommodations."

The Governor said Alabama has not paid her dues recently "because of Paul Butler himself.

"And there are a lot of other states which haven't paid their dues," Gov. Patterson added. "And I can rightly see why. Butler is the worst influence in the Democratic Party. He attacks the South, he asks us to get out.

"We have got to get rid of Paul Butler. He is hurting the party's chances in the next election."

34d 1959

DEMOCRATIC

Butler Admits Dixie 'Deal'

Afro-American
Baltimore
Sat. 7-25-59
P. 8

By LOUIS LAUTIER

WASHINGTON (NNPA) — Paul M. Butler admitted Saturday that he had given a written pledge to Georgia representatives in 1954, at the time he was elected chairman of the Democratic National Committee, not to make racial segregation a major national political issue.

Since then, Mr. Butler has become an outspoken champion of strong civil rights legislation to the dismay of southern Democrats. Some of them, charging that his statements on the subject were widening the split in Democratic ranks over the civil rights issue, have wanted him ousted as party chairman.

Mr. Butler made his admission at a press conference at the close of a two - day predominantly colored gathering, which passed two resolutions supporting him in his fight with the conservative wing of his party over critical statements about the Democratic leadership in Congress.

* * *

THE QUESTION of his 1954 pledge came up when a reporter told him that there is in the hands of George Sammons Bell, chairman of the Democratic party in Georgia, "a written pledge by you on the back of an envelope given to Georgia delegates" at the New Orleans meeting of the Democratic National Committee in 1954, in which "you were supposed to have said you would not make segregation a major national political issue."

The reporter continued that Rep. Iris Blitch, Georgia Democrat, told the Washington correspondent of The Atlanta Constitution that "she saw you write this pledge and give it to Bell."

Asked to comment, Mr. Butler replied that "This is old political business." At the time he was elected chairman in 1954, he said, Sammons, held a proxy and Mrs. Blitch was the national committeewoman.

* * *

"SHE ASKED ME to make some statement as to the desegregation opinion of the Supreme Court, which had come months prior to my election," Butler said, adding:

"At that time, I believe I did say that in my opinion the desegregation opinion of the Supreme Court was a legal matter and not a political issue, and I did not see any reason to make it a political issue.

"Have you changed your mind?" Mr. Butler was asked.

"I would say perforce of circumstances and not by my own choice, the whole matter of the race problem has become the major social issue and problem of the United States," he replied.

* * *

"ANY PROBLEM or issue that affects any segment of the society of our country necessarily would become the concern of a particular party so long as it remains unsolved.

"Because fo the failure of the Executive Branch of the Government during the past six and a half years under this Administration, and during the last four and a half years since I was elected chairman, I certainly feel the whole race problem has become a political issue."

The press conference was to have been held jointly by Rep. William L. Dawson, of Illinois, vice chairman of the Democratic National Committee, and Mr. Butler, but the chairman said Mr. Dawson had to leave earlier because of an engagement in Chicago.

He was flanked at the news conference by Theodore Berry, former vice mayor of Cincinnati, and Judge Howard Bennett of the Minneapolis Municipal Court.

* * *

MR. BUTLER said approximately 125 persons had been invited to the conference, which was called "Conference on Party Relations, and about 95 had attended. In addition, he said, there were 10 or 12 persons from the District of Columbia and Maryland. He said 24 states, the District of Columbia and the Virgin Islands were represented.

Both white and colored leaders were invited to the conference, the second on party relations. Of the 110 persons who attended, he said, about 70 were colored and 35 white.

The Southern states represented included Florida, Alabama, Georgia, South Carolina, North Carolina, Louisiana, Virginia, Kentucky and Texas. The largest delegations, Mr. Butler said, came from Michigan, California, New York, Louisiana, Virginia, Kentucky, Louisiana, Maryland and Ohio.

ASKED WHO picked the "delegates" to the conference, Mr. Butler said the names of the persons invited were selected from the files of the Democratic National Committee by members of the staff, with the help of Mr. Dawson and Rep. Charles C. Diggs, Michigan Democrat.

Mr. Butler said the "delegates" paid their own expenses. The only things they were given while here, he said, were two poor meals and one good one.

The chairman said at the next meeting of the Democratic National Committee, which is tentatively scheduled for Sept. 15 and 16, "we intend to take a look at the legal problems in voting laws that have been created "in any state to release Presidential electors from their obligation to vote for the nominees of the party in the electoral college vote where the electors have carried the popular vote of the state."

* * *

A NUMBER of southern states have passed laws releasing Presidential electors from their obligation to vote for the Presidential nominee of the party which tye represent on the ballot.

This move is aimed at throwing the election into the House of Representatives if the Democratic platform and Presidential nominee are regarded by southern states as too liberal for them.

In 1955, the Democratic National Committee adopted a resolution that delegates to the 1956 convention would be considered to be acting in good faith if they pledged themselves to see that the names of the nominees of the party were placed on the Democratic ballot in their states.

The 1956 Democratic National Convention adopted a similar resolution.

* * *

MR. BUTLER said the purpose of the two - day conference was to bring together both colored and white Democratic leaders to discuss party relationships and the strengthening of the party organization.

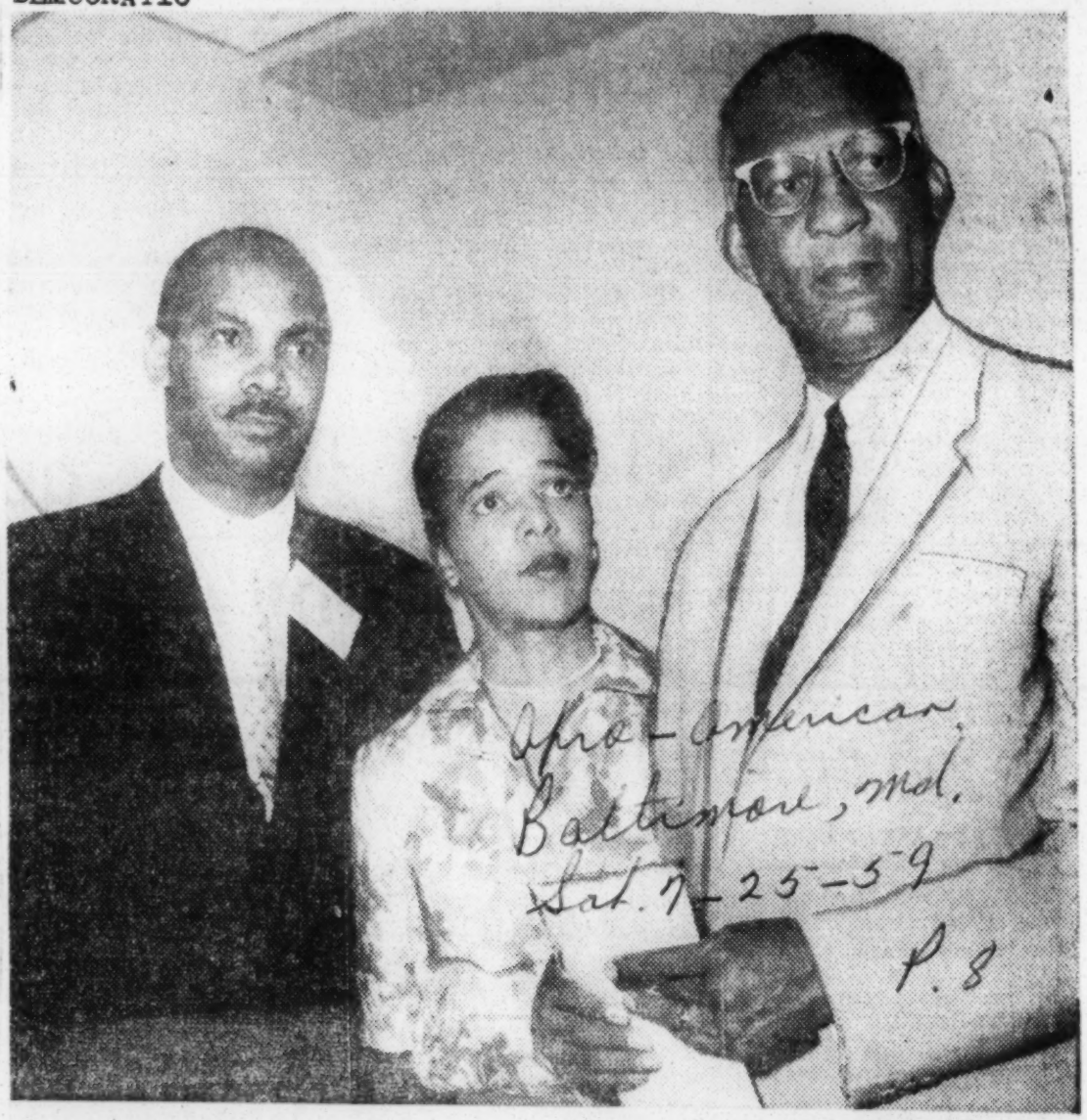
The chairman said he had told the gathering that "it is not enough for us to say discrimination is immoral when it affects only our political and economic rights, as the President said the other day.

"Discrimination is immoral in any form or to any extent, and I think the President should say to the American people just that — not because I have said it but because the moral ists of the country have said this without equivocation."

Civil rights was the dominant theme of the meeting, Mr. Butler said. About 80 per cent of the time, he added, was spent talking about the 1960 Presidential campaign.

Three of the Democratic Presidential hopefuls are —Senators Hubert Humphrey of Minnesota, John F. Kennedy of Massachusetts, and Stuart Symington of Missouri.

The "party relations conference" adopted a unanimous resolution calling on Democrats in Congrress to enact the liberal Douglas - Celler civil rights bill and "Wholeheartedly" indorsing "the action of Chairman Paul Butler in calling upon the Democratic leadership in Congress to support the policies and programs of our party platform, and to use their positions to enact the liberal legislation promised by Democratic candidates in the 1958 election."



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BACK BUTLER—Three members of the 100-plus delegation of Democratic Party leaders from 24 states listen attentively as Paul Butler, chairman, Democratic National Committee, explains his views on legislative lag outlined in radio interview. The delegation which met in two-day session in Washington supported Butler's views in strong resolution. From left are State Senator James L. Watson, of New York, Mrs. Vel Phillips, State committeewoman from Wisconsin, and Judge Howard Bennett of Minneapolis Municipal Court.

NEGROES URGED TO REPUDIATE SEN. KENNEDY

Washington, June 29 (UPI)— Rep. Adam Clayton Powell [D., N. Y.] called on all Negroes and delegates to the 1960 Democratic national convention to "repudiate" any effort of Sen. John F. Kennedy [D., Mass.] to win his party's Presidential nomination.

Powell said he reached his decision because "Negro hat-

ng." Gov. John Patterson of Alabama and Sam Englehardt, Alabama officials "are arch Alabama state Democratic enemies of the Negro, the ecutive committee chair- N. A. A. C. P., and the Su- have pledged their preme court, and are the Kennedy. leaders in the fight to deny the right to vote."

DEMO PRIMARY SET IN VIRGINIA

Vote Might Determine School Issue

RICHMOND, Va. (UPI)—An estimated 300,000 Virginians will vote Tuesday in a Democratic primary that could determine the course the state will take on school integration.

At stake is Gov. J. Lindsay Almond's control of the Legislature which chose a local option "freedom of choice" program when the courts struck down "massive resistance."

The issue was clearly whether to accept Almond's plan, which permits racial mixing on a local basis, or to restore unyielding resistance to integration.

Forty-six of the 140 seats in the General Assembly are at stake and if Almond's supporters are upset in too many areas, especially in the Senate, it could mean the Legislature will junk the "freedom of choice" plan and look for stiffer means of maintaining segregation.

The "freedom of choice" plan, which permits a locality to do everything from accept integration to abolish its public schools to circumvent it, squeezed through a special session last spring. It passed the Senate by one vote.

NEW PLAN OPPOSED

The new plan triggered sharp criticism from diehard segregationists and more than a dozen of the campaigns were fought over it, generating more interest in the primaries than in previous years when they were settled on local issues.

The estimated turn out of 300,000 was forecast despite a prediction of scattered rain. The polls opened at 6 a. m. EST and closed at 7 p. m. EST.

Twelve Senate seats are to be decided with at least seven considered critical tests for Almond's program. Among them are three seats in Richmond, two in Norfolk, one in Alexandria and another in a sprawling district along the Potomac river.

Sen. Edward Breeden of Norfolk, a 15-year Senate veteran and a key Almond lieutenant, has been a prime target of the staunch segregationists and faced perhaps the sternest challenge of any of the pro-Almond legislators.

Breeden's race in Norfolk, where 17 Negroes entered formerly white schools last February, was complicated further by a local squabble over a judgeship appointment.

34 SEATS UP

Thirty-four House seats will be decided by the Democrats, who face only token opposition from the Republicans in November in most of the distrct. Most observers agreed that Almond's nine - vote margin in the House of Delegates was not in as great danger as his Senate edge.

The segregationist challengers agreed only that they were opposed to the "freedom of choice" plan but offered only a scattering of counter-proposals.

Several who favor a return to "massive resistance" suggested a plan under which the general assembly would take over all student assignments. One candidate plugged for a three-way school system—one for whites, one for Negroes and a third for integrated.

Both proposals earlier were cast aside as impractical by a Legeslative commission Almond named to draft the "freedom of choice" plan.

Chairman Paul Butler Is Right

The record of the Democratic leadership in Congress to-date is nothing to crow about. It is a record that is neither inspiring nor promising. The strategy, thus far, is one of premeditated conservatism which is reflected in every issue that strikes at the root of national interest.

It would be naive to assume that strategy is aimless, and that it is being pursued in a political vacuum. It isn't. It has a purpose; it is to appease the Southern wing of the Democratic party and make sure of its allegiance come 1960.

Accordingly Speaker Sam Rayburn and Senate Democratic Majority Leader Lyndon Johnson have used their power and cunning to water down all important proposals that Dixiecrats frown upon.

While brimming with exultation over his acquired reputation as an astute politician, Lyndon Johnson has been quietly engaged in scuttling the liberal program which was mapped out by a concert of his party's best minds, and which the Democrats had promised the electorate in the 1958 Congressional election.

Therefore Democratic National Chairman Paul Butler's attack on the party's Congressional leadership is quite timely and justifiable. This intra-party soul searching is needed if the sins of deliberate omissions are not to spoil the Democratic dream in 1960.

Outstanding among the issues which are not being pushed with vigor, is a civil rights legislation. This is the central core of a liberal Democratic platform. It is not a mere plank, but a whole bridge on which the party must travel if it expects to reach the White House in the next presidential election.

The Negro vote which is becoming more and more pivotal and the strength of labor and liberals in the ten major cities in the north, will not go toward the support of a conservative party program.

The Rayburn-Johnson team is not only slowing up the works, but it is actually inflicting painful injury to the Democrats' national cause. Butler was right when he said that the image that has been given in the present Congress is one of too much concern with trying to adjust and "develop a program in keeping with the Republican party."

The Democrats, Butler remarked, cannot win in 1960 "if they try to outdo Mr. Eisenhower" in every direction he moves, "if any." It is obvious that the President has been playing to the Southern gallery. He has been evasive on civil rights, has not committed himself on school integration, and has not once uttered a single word of endorsement of the courts' opinions in that area. Thus to follow him is to drift into that "do-nothing" zone which may be the graveyard for blind politicians.

Yes, a Democratic victory in 1960 requires action in Congress now; and Butler has sounded the call to colors for that victory.

34d 1959

DEMOCRATIC

Defends Johnson—

Sparkman blasts Butler for attack on Demo leadership

News Birmingham, Ala. p. 1
Sat. 7-11-59

BY JACK BELL

WASHINGTON, July 11 — (AP) — Three Democratic senators added their voices today to swelling criticism of National Chairman Paul Butler for his attacks on party congressional leaders.

Sens. John Sparkman (D., Ala.), Henry M. Jackson (D., Wash.) and Gale W. McGee (D., Wyo.) stoutly defended the course Senate Majority Leader Lyndon B. Johnson has taken in attempting to tailor legislation to avoid presidential vetoes. Sparkman, Jackson and McGee are rated as liberals on most issues.

Butler gets a chance at a late afternoon news conference to comment further on his previously expressed view that the party's Congressional leaders are compromising with the GOP administration too often and thus are not welding a program on which the Democrats can win in 1960.

Sparkman, the 1952 vice presidential nominee, wrote Johnson that what he called Butler's attack "on the record of the Democratic Congress generally and on the Democratic leadership specifically is unjustified and most unfortunate."

SEN. SPARKMAN
. . . Defends Johnson

"THE CONGRESS is right to take into consideration the views of the executive branch," Sparkman said. "We would be wrong to strive only for issues and to disregard the importance of enacting greatly needed legislation.

"Just because the president and his advisers have chosen to play politics with the people's welfare does not make it wise or advisable for a Democratic Congress to do likewise."

Sparkman said Butler's duty is "to encourage, not to criticize extravagantly; to help bridge differences, not to widen them; to work for party unity, not party disunity," adding:

"By his unfair criticism of you, he has demonstrated extreme partiality when he should be impartial."

JACKSON SAID he thinks Butler used poor judgment in broadcasting on television an attack on the leaders. He said it was pretty late for the national chairman to try to explain them away.

"If he had these complaints in mind, the first place to air them was with the leaders and not over TV," Jackson said. "So far as I know he has never registered any of his complaints with Democratic members of Congress."

McGee said in a separate interview he regards Butler's tactics as unfortunate.

"In the first place the record of the Democratic Senate is good this far and, in the second place, we haven't completed our work yet," he said.

McGEE SAID he thinks it's fine for individual Democratic senators to advocate progressive action and to propose long-range programs. But he said the Senate's party leader has different responsibilities.

"The majority leader is not completely free to play politics," McGee said. "He has the responsibility of producing legislation and, as everyone knows, that is always a process of compromising."

Butler pledge to South is revealed

ATLANTA, July 11 — (AP) — A "scrap of paper" that "could be a potent weapon in the hands of Southern and other Democrats" against National Party Chairman Paul Butler is in the hands of Georgia Chairman John Sammons Bell, The Constitution said in Saturday's editions.

BELL WOULD NEITHER confirm nor deny the existence of the paper, which The Constitution said contained Butler's pledge that he would not try to make segregation a national political issue.

The story said Butler wrote the pledge on the back of an envelope and gave it to Georgia Democratic delegates at a New Orleans meeting in 1954, when Butler was seeking the national party post.

The Constitution said Rep. Iris Blitch (D., Ga.) told its Washington correspondent, Albert Riley, that she saw Butler write the pledge and give it to Bell.

Butler and Southern Democrats have recently been at odds over the party chairman's support of civil rights provisions in the Democratic platform. Butler has been accused of trying to shove the South out of the party.

William S. White

Paul Butler Trys To Kayo Moderates

Constitution p. 4
Atlanta, Ga.
Feb. 7 1959

WASHINGTON—National Democratic Chairman Paul Butler is moving with unexampled self-assurance to control the 1960 Democratic Convention for purposes that are quite clear but in behalf of men whose identities are not clear at all. His central motives are plain enough. He wants to discredit the party's "moderate" congressional leadership—and inevitably the record of the Democratic Congress itself—both within the party and in the eyes of the country.

He intends to destroy that leadership's influence at the convention and thus to open the way to the nomination for president of some person deemed to him to be "liberal" enough in his definition. He is attempting not only to drive from the convention all conservative Southerners, but also to make powerless even the party's moderates—Northern as well as Southern.

The conservative Southerners have long been fair game to nearly every Democratic faction outside the South, and understandably so. For these conservatives for years have brandished the threat of party bolts to try to force their way, even as a minority.

But Butler has now gone far beyond these favorite Southern whipping boys.

He is hitting, in a word, not merely at the top congressional leaders from Texas, Sen. Lyndon B. Johnson and Speaker of the House Sam Rayburn. He is also striking at many powerful non-Southerners, among them the Democratic floor chief of the House, Rep. John W. McCormack of Massachusetts, and such Senate hierarchs as Sen. Mike Mansfield of Montana.

And he is also cutting, if more obliquely, at four of the five present real Democratic presidential "possibilities": Sens. John F. Kennedy of Massachusetts, Hubert H. Humphrey of Minnesota, Stuart Symington of Missouri and Johnson.

A collateral effect of Butler's clamors is, of course, to put increasing pressure on the three liberals, Sens. Kennedy, Humphrey and Symington, to open fire on the moderate, Johnson.

Two large unanswered questions, however, remain: In whose convention interests, precisely, is Butler operating this curious campaign? And how does he feel qualified to take the whole conduct of the party into his own hands?

As to the first question, the suspicion is wide among Democratic politicians that Butler is running an operation in aid of a third nomination for Adlai E. Stevenson.

The second question—how does Butler think he alone is competent to dominate the convention?—is a good one even if the Democratic congressional leadership is worse than he says it is. That leadership, after all, has presided over three successive Democratic victories in congressional elections. Butler presided over a catastrophic Democratic presidential defeat in 1956.

There is room for one larger and final question: Who, on balance, is benefiting most of all from the Butler strategy? Answer: the Republicans.

Butler Hits Democrat 'Moderates'

34d
Atlanta, Ga.
Constitution

Johnson, Rayburn Obvious Targets

Mon. 1-6-59

WASHINGTON (AP) — Democratic National Chairman Paul Butler Sunday sharply criticized his own party's congressional leaders, saying they are steering a too conservative and moderate course.

p. 2

Unless the Democratic Congress gets busy and progressive, he said, "we are going to be in a tough situation in 1960."

Hinting at a revolt within the party, Butler said "quite a few Democrats around the country are unhappy about the progress that has been made" in the current session of Congress.

"When the younger members of Congress go back to their districts this fall and are asked by the people about the record of accomplishment, they will return here in January in a fighting mood because they know they will have to have a solid record of accomplishment in order to win re-election," he added.

In criticizing his party's leadership in Congress in a filmed TV interview, Butler mentioned no names. His obvious targets were Senate Leader Lyndon B. Johnson of Texas and House Speaker Sam Rayburn, also of Texas. They have stayed aloof from the Democratic Advisory Council which Butler heads.

Butler also said at one point that the views of Southern leaders in Congress do not represent the Democrats' national point of view.

AIMS BARB

"The congressional seniority system lends itself to the buildup of power and influence, control of committees by Southern Democrats, when the Democrats are in control of Congress," he added.

The Democratic chairman went on to say he had been trying "to make the party more responsible and more responsive to the needs and demands of the people, and this can only be done on a national basis."

"We believe we have to try to influence the Democratic leadership of the Congress to come along with the national program, rather than the conservative and moderate program which they are trying to follow," he said.

He aimed a barb at the recent strategy of the Democratic leaders in Congress in toning down some legislation to avoid a veto by President Eisenhower, saying: "I hope that we will be laying a bill upon the President's desk even though knowing in advance that he may veto it and letting it be known and then we will take the issue to the American people."

Party Reflects Butler-Johnson Split

Advertiser
Montgomery Ala.

By Congres

WASHINGTON, A 3-2 MAJORITY of state Democratic officials supports Democratic National Chairman Paul M. Butler's demands for a "positive, aggressive" program from the Democratic-controlled Congress, a *Congressional Quarterly* poll reported today.

CQ

Democrats in Congress, by a narrowed margin, said in the poll they prefer to follow Senate Majority Leader Lyndon B. Johnson on the course of "constructive responsibility."

The results were such that neither man could claim a clear-cut endorsement for the policy he advocates.

Butler and Johnson have been conducting a sometimes bitter debate over the work of the Democratic Congress. Butler has been urging Democrats to pass bills based on the Democratic platform of 1956, even if they are certain to be vetoed by President Eisenhower.

Johnson has told Democrats they must balance their desires against the threat of a veto, unless they want to be blamed for paralyzing the government.

IN THE poll, 162 senators and representatives and 78 state party officials—governors, state chairmen and national committee members — told *Congressional Quarterly* which course they thought the Democrats should follow:

	Congressmen	*State Officials*
Follow Johnson policy	53%	39%
Follow Butler policy	38%	60%
Other views	9%	1%

The poll results tend to cast doubt on the theory that the Butler-Johnson dispute is basically a power struggle between Capitol Hill and the state houses for control of the Democratic Party. Two-fifths of the state leaders backed Johnson's views; an equal percentage of the congressmen endorsed Butler's policies.

Nor does the poll indicate that this is simply another North-South struggle within the party, although regional differences may be a factor.

State leaders from the South backed Johnson's views by a narrow 9-7 margin; those from the North were for Butler, 37-19. Congressional replies were not identified by section.

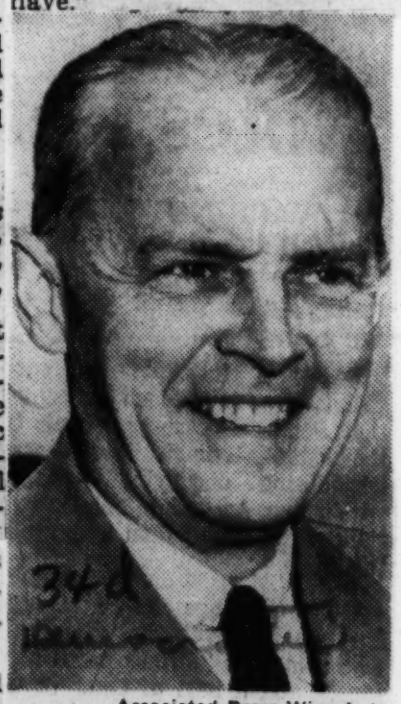
Instead, the comments on the poll indicate a genuine puzzlement in all segments of the party over which course is best for Democrats — and the country.

SOME replies said that the Democrats should follow neither Johnson nor Butler, but stick to their own consciences or such tried and true formulas as the greatest good for the greatest number. One man said both Johnson's and the Democratic Advisory Council's views on "the basic areas today, such as international affairs and defense policy . . . are bankrupt and sterile."

There were also indications of bitterness and frustration within the Democratic camp. A member of Congress wrote: "Johnson's 'moderation' is not moderate. In bill after bill, we begin with a moderate approach and proceed from there to the right." A state party official, on the other hand, said: "Butler and the Advisory Council are irresponsible radicals!!"

Even Democrats who do not think the Butler and Johnson positions are irreconcilable sound unhappy. One wrote: "Believe it or not, this is one of those rare occasions when the Democrats can have their cake and eat it too. We could first pass the legislation we know the country needs and, after the veto, pass the legislation the President can accept.

"However, Messrs. Eisenhower, Dirksen and Halleck seem to have frightened us away from the table, leaving us nothing more than the few crumbs they were 'nice enough' to let us have."



Associated Press Wirephoto

TOUGH ON RIGHTS

Chairman Butler

Butler Sees Constitution Rights No. 1

Atlanta, Ga.
Mon. 3-11-59

Party Plank

WASHINGTON (UPI) — Democratic National Chairman Butler predicted Sunday that the 1960 Democratic convention will write into the party's platform "the strongest statement that's ever been written on human rights."

He also said he hoped that the party's presidential and vice presidential nominees "would stand forthrightly and completely upon that platform."

Simultaneously, Butler charged that Vice President Nixon, leading contender for the GOP presidential nomination, had compiled a record of "all words and no action" in the field of civil rights.

STATEMENT CHALLENGED

His statement was challenged by Sen. Scott (R-Pa.), former GOP national chairman. Scott said Nixon's stand was "far more forthright" than that taken by Senate Democratic Leader Johnson or any other possible Democratic candidate except possibly Sen. Humphrey (D-Minn.).

Meantime, Sen. Ellender (D-La.) said Congress would be biting off its nose to spite its face if "radical northern liberals" are permitted to push through new civil rights legislation because of recent racial violence in the South.

SENATOR SHOCKED

Ellender said he was "just as shocked as any other citizen at the reprehensible actions of supposedly law-abiding citizens in connection with these recent outbreaks of violence" at Poplarville, Miss., and Tallahassee, Fla.

But he said in a radio broadcast (WWL-New Orleans), that such evils could not be cured by enacting civil rights legislation submitted by northern "radicals."

Ellender said "the statute books are already loaded with criminal laws, both state and federal, which would cover crimes such as have happened."

34d 1959 DEMOCRATIC

Is Butler's Speech Blueprint For Victory?

Dems told how to win; will party follow advice?

By SAMUEL HOSKINS

Baltimore Afro-American Sat. 3-9-59

WASHINGTON

The recent speech delivered by Paul M. Butler, chairman of the Democratic National Committee, is being described in political circles here as a re-affirmation of the party's basic principles.

The speech was delivered before the Ford Hall Forum in Boston.

According to information from Democratic national headquarters here, a staff of speech writers and research experts spent considerable time preparing the speech. ... ...

* * * 3rd

THE FINISHED product, however, was carefully edited and approved by the chairman himself. It represents his personal touch.

"He spent a night and an entire morning going over it," a spokesman told the AFRO.

The chairman, who often has been the target of Southern critics because of his stand on civil rights, expressed—possibly for the first time in public—his personal conviction of the human rights issue.

* * *

HE SAID: "I believe that the proper objective of every citizen, but especially of every man and woman who would become involved in American political life, should be to safeguard, to preserve and to secure the full enjoyment of all human rights by every American citizen."

He added: "I believe that the term 'human rights' means those rights with which every man and woman has been endowed by virture of his or her creation as a child of God.

"They are rights which are founded in the principles of religious morality."

* * *

HE SAID the recognition of these human rights by the individual and by the state is essential to freedom, justice and peace in the world.

For moral and political depths, the chairman went back to the principles laid down by Thomas Jefferson in the Declaration of Independence, in 1776:—

"Man is endowed by his Creator with certain inalienable rights. Among these are life, liberty and the pursuit of happiness.

TO SECURE these rights, governments are instituted among men."

Chairman Butler traced the growth and development of the Democratic Party from Jefferson's era to the present, including the contributions of both Franklin D. Roosevelt and Harry S. Truman.

Of these Administrations, he had this to say:—

Their most important contribution "was the creation of a climate of opinion and executive leadership which, even without action on the part of Congress, made possible later progress in these matters (human rights) both in and out of government."

* * *

"I AM THINKING," he said, "primarily of the momentous court decisions, such as the state forced labor law decision (1944);

"The white primary case (1944);

"The railroad firemen discrimination decisions (1944 and 1949):

"The mail clerk discrimination case (1945), the segregation in interstate transportation case (1946);

"The restrictive covenant decision (1948), the dining car segregation case (1950), several important school decisions from 1938 to 1952, and many other decisions affecting human rights."

Foregoing an opportunity to be partisan, he credited many individual Republicans and certain Republican leaders with supporting and protecting these rights.

He even said: "I am also aware that a sizeable, but distinctly minority, of Democrats did not then, and do not today, support most of these measures."

* * *

HE ADMITTED that the civil rights bill of 1957 "fell short of reasonable objectives."

The legislation's chief merit, he said, was that it demonstrated conclusively that, once Republicans support human rights rather than play politics with them, other such bills will be enacted.

Possibly the hardest criticism of the entire speech was reserved for the Eisenhower Administration.

In this connection, he said there have also been many trying situations and several highly unpleasant incidents in the struggles over human rights during the past six years.

"In my opinion, much of it could have been avoided if the President had exhibited the leadership in this area which reasonably was to have been expected of a person in his office.

"All too often Mr. Eisenhower has not understood that there is a point beyond which patience, which is commendable, becomes vacillation, which is dangerous," he added.

* * *

"ALL TOO OFTEN the President and his Administration have relied on others to show the way. All too often he has allowed events to overwhelm him—as in the tragic situation of Little Rock—and has then been forced to resort to drastic action to retrieve a situation which had gotten completely out of hand.

"In saying this, however, in no way do I mean to gloss over the calamitous and utterly irresponsible policies pursued in this matter by Governor Orval Faubus."

He said the most that can be said of President Eisenhower's actions in the area of human rights is that, while he has not rescinded the principal actions of Presidents Roosevelt and Truman, he has shown little inclination to go beyond and to pioneer in new areas.

"WHILE MANY would say that we ought to be content with such a course, I believe that it falls far short of what the times demand, both in terms of conscience and of national survival."

* * *

TURNING TO the present, he declared:

"It seems to me that we must recognize that the problem of prejudice and discrimination, of denial of human rights because of race, color or creed, is not a problem which is limited to one section of our nation.

"It is national inscope. Racial strife such as has occurred recently in several Northern states is no less a blot on the national conscience because it occurred in the North.

"The fact that discrimination in the North and West is more subtle than the codified prejudices which exist in the South, or that shabby treatment arising from the vicious "gentlemen's agreements" in the North is less publicized than the sensationalized results of the actions taken by certain legislatures in the South, should in no way absolve the North of guilt."

While there may be room for adjustment and accommodation in applying the law, there can be no compromise with ultimate compliance with the law by every citizen of the United States, Mr. Butler observed.

He said the President should be asked once again to specifically approve and lend his moral force to the endorsement of the 1954 Supreme Court decision as morally right.

He added that the President should be requested once again to use the great prestige of his office to call together the responsible political, religious, educational and other community leaders of both races for discussion as to how the court's decision might be implemented on a gradual yet firm basis and as to how a climate of general acceptance of the legal principle can be created.

CONGRESS SHOULD pass appropriate human rights legislation which would include a specific endorsement of the court's school ruling as the recognized law of the land. Congress should recognize that the time has come to legislate on the implementation of the court's school decision, he declared.

* * *

A HIGHLIGHT of the Democratic chairman's speech was his turning thumbs-down on the civil rights bills of the Democratic majority leader in the Senate.

"While there is a great deal to be said for the conciliation idea emphasized in the proposal which Senator Lyndon Johnson has made dealing with this problem, his proposal, in my opinion, has the great demerit of offering nothing to back up conciliation," he said.

Continuing, he observed:

"I am afraid that there really would be no inducement provided for conciliation, or nothing to conciliate about, if communities would choose to continue to ignore the court rulings. One must conciliate toward an objective.

"That objective must be ultimate equal compliance with the law, with reasonable allowance for local adjustments as to time and methods in moving toward that objective.

"If the conciliation idea were to be given even greater emphasis and more specific provision in the general approach taken by the bill of Senator Douglas and 16 other Senators to provide technical assistance, financial grants and other aids to communities willing to desegregate;

"AND IF THIS were backed up, as it is in the Douglas bill, with ultimate authority in the hands of the Secretary of Health, Education and Welfare to draw up desegregation plans ,seeking full advice and assistance of local groups;

"And if, as the Douglas bill once again provides adequate authority were placed in the hands of the Attorney General to initiate action to carry out plans so drawn and to initiate proceedings on behalf of those whose rights under the 14th Amendment have been infringed or denied, Congress would be meeting its responsibility to find constructive ways by which the law of the land could be carried out."

* * *

HIS CONCLUSIONS are as follows:

(1) No person in public life can escape the moral obligations of the teachings of the great religions. No politician yet has been able to provide an effective rationale to justify morally the denial of human rigths to any citizen because of race, color, origin, creed or economic circumstances.

(2) The doctrine of the dignity of man is just as true on Monday as it is on Sunday, and this truth applies to politicians as well as to religious leaders.

(3) He served notice on those who think that it may be necessary to purchase this national status or to achieve political advantage at the price of chiseling on human freedom, and deviating from the platform positions taken by our party in three national conventions, that the responsible leadership of the Democratic party, nationally and in all sections of our Nation, rejects that sort of compromise.

(4) While there may be dissent within our party regarding some of these policies, there will be no waivering from the course of stating cleary to all sections of the Nation what the national policies of our party are and will be.

(5) Under no circumstances will we, or can we, undertake to read anyone out of our party, but we can and will make sure that the morally sound concept of human rights stays in.

DEMOCRATIC NATIONAL chairman Paul M. Butler (extreme right) is shown here with other committee members during last meeting group held in Washington when he turned back a Dixiecrat effort to soften the stand on civil rights. Others (left to right) Matthew McClosky, Philadelphia; Carmine De Sapio, New York, and Mrs. Vel Phillips, Milwaukee, Wisconsin.

Will Top Brass of Democratic Party Back South in Showdown?

By SAMUEL HOSKINS

PHILADELPHIA

Battlelines are being drawn.

The storm surrounding the shifting center of gravity within the National Democratic Party is pushing its way into Pennsylvania politics.

Recent developments in the so-called Keystone State indicate that when the North-South showdown comes, Pennsylvania Democrats also will split along conservative - liberal lines.

* * *

GOV. DAVID L. LAWRENCE, who is likely to head the Pennsylvania delegation to the National Democratic Convention next year, has indicated he is likely to line up with the pro-Johnson forces.

This element of the party is composed mainly of professional politicians.

The professional politicians, it should be recalled, were the architects of the 1956 civil rights sell-out in Chicago.

The cry was "party harmony."

* * *

FOLLOWING THE convention Adlai Stevenson's campaign strategists tried to palm off this sell-out as "moderation."

The November vote proved, however, that certain blocs of voters in key states outside the South refused to be convinced by this political double talk.

Consequently, Adlai, "moderation" and the professionals in the party executed the amazing feat of putting a Republican in the White House while the Congress went Democratic.

NOW THEY are at it again. Only this time they started a year before the convention.

The architect of the current political bankruptcy is none other than the Senate majority leader, Lyndon Johnson of Texas, who is aided and abetted by another Texan, Sam Rayburn, also of semi-Dixiecratic persuasion.

The Texans, and the professionals who back them, call the warmed-over version of the 1956 sell-out "Johnsonian moderation."

But they are not getting away with it.

This is due to the political memory of the Democratic national chairman, Paul M. Butler, who apparently recalls the November, 1956, "moderation debacle."

* * *

BUTLER HAS challenged the Congressional leadership of his party, accusing it (Johnson and Rayburn) of having labored only to bring forth a "poor record."

It is suspected that the national chairman is seeking to erase the "moderation image" which Johnson has so painstakingly carved in his own likeness.

In order to accomplish this it is necessary to oust Rayburn as permanent chairman of the convention, adopt a strong civil rights platform and nominate a liberal candidate for the Presidency.

Johnson, believed to have Presidential aspirations, obviously is anything but pleased over this no-compromise stance of the national chairman.

* * *

BUTLER'S POSITION, however, is nothing new.

As long ago as 1957, he predicted there would be no compromise on the civil rights issue.

This prediction, naturally, brought howls of anguish from the embattled manifesto wing of the party.

The Dixiecrats threatened a walkout, like the one Strom Thurmond of South Carolina staged in 1949. They thought twice, however, when some stalwart Democrats suggested a walkout would be welcome.

* * *

LAST FALL when the National Democratic Committee met in Washington, it backed Butler and, in effect, told the South to walk if it wanted to.

During May of this year, Butler delivered a significant speech in Boston called by some Democrats a blueprint for victory in 1960.

Butler has vowed to stand firm.

Consequently, the report is current that the conservative-professional forces are seeking to oust him as chairman.

The showdown is likely to come during the four-day meeting of national leaders in Washington, Sept. 15-19.

PENNSYLVANIA'S GOV. Lawrence has indicated he may be among Johnson's supporters.

He says he does not agree that Congress has done a poor job. He recalls that when Butler was first elected, he was "not enthusiastic" about him.

He refused to answer when asked if he would support a move to oust Butler.

This is a strange position for a Governor elected by liberal votes.

IN A state where the two-party competition admittedly is rough.

In a state where a shift of a few hundred thousand votes in such cities as Philadelphia and Pittsburgh could mean the difference between victory and defeat.

In a state where the balance-of-power voters rejected another southerner, John Sparkman, in 1952.

It's a big gamble to assume they will accept either Johnson or "Johnsonian moderation" in 1960.

The cry Down With Butler, this year, may well mean Up with Nixon and Rockefeller, next year.

THOUGHTS OF THE FOUNDER

No man should be trusted with great powers who has not had years of experience to guide his judgement in an intelligent direction for someone is always sure to suffer from his indiscretion and rashness.

JOHN H. MURPHY, SR.
July 6, 1914

Patterson Endorses Loyalists

MONTGOMERY (AP) — Gov. John Patterson has endorsed George Lewis Bailes Jr. of Birmingham and Hobdy G. Rains of Gadsden for posts on the State Democratic Executive Committee.

Bailes was recommended to serve as vice chairman and Rains as secretary. Both are loyalists and the governor thus went against the states rights ticket for the second time.

Both committee members helped elect Highway Director Sam Englehardt as state Democratic chairman Jan. 19. Montgomery Attorney Frank Mizell, the states rights choice, lost by one vote.

Patterson endorsed Englehardt for the post, although a majority of the committeemen already had agreed to support Mizell. The same caucus last September pledged its votes to H. Coleman Long of Uniontown for vice chairman and R. H. (Dick) Monk of Anniston for secretary.

Englehardt denied reports Monday he had promised to support Long for vice chairman.

"I told Mr. Long I have no quarrel with him," he said. "But he's mistaken if he thinks I told him I would vote for him."

The positions of vice chairman and secretary, vacant since the committee elected Englehardt said two months ago, will be filled at a committee meeting in Birmingham Friday.

Another highlight of the meeting will be expected repeal of the controversial party loyalty oath, which since 1952 has bound candidates for presidential elector to support the national party ticket.

Thirty-nine of the 72 committee members — including Englehardt—were elected on pledges to throw out the embattled oath, and such action has the promised favor of Patterson.

The long-awaited chance for state righters to scrap the oath will come Friday, but efforts to repeal the law outright may run into difficulty from the 33 loyalists including Rains and Bailes.

Bailes told newsmen Monday night he would offer a modified loyalty oath at the meeting. He did not say whether his plan would be less binding, but commented:

"It is still a loyalty oath as required by laws of the State of Alabama, but it does not do away with the necessity of a candidate to be loyal to the party."

A freshman committee member called on fellow states righters to "keep faith with each other" despite the fact Englehardt instead of Mizell was elected chairman.

Lawrence McNeil of Birmingham said Monday he had written states righters asking for a united front at Friday's election of a vice chairman and secretary.

In a letter to "The faithful 35" who voted for Mizell in January, he said:

"Whether we won or lose these somewhat petty positions will not be remembered, but if we retain our personal honor and keep faith with each other—we will be able to carry that with us a long time."

Patterson Supports Loyalists

Backs Pair For 2 Demo Party Positions

BY CLARKE STALLWORTH

Gov. John Patterson announced in Montgomery yesterday that he is backing two Loyalist members of the State Democratic Executive Committee — George Lewis Bailes Jr. of Birmingham and Hobdy G. Rains of Gadsden—for vice chairman and secretary of the committee.

Patterson said last week he would not back the anti-Loyalist candidates for the two posts — H. Coleman Long of Uniontown and R. H. (Dick) Monk of Anniston.

Mr. Long and Mr. Monk were nominated for the two jobs in a caucus of anti-Loyalist members last Fall. The caucus also nominated Frank Mizell of Montgomery for chairman, but Patterson's strength elected Sam Engelhardt of Shorter chairman in a Jan. 19 meeting.

Said Patterson.

"I am pleased to announce that I and the Patterson administration are supporting George Lewis Bailes Jr., for vice chairman of the committee . . . and also Hobdy G. Rains of Gadsden for the post of secretary.

"Mr. Bailes is a splendid gentleman and will do a fine job as vice chairman of the committee. He is capable and he is a person deeply interested in the problems of the State of Alabama. I am sure he will work closely with my administration to the best interests of our state and the Democratic Party.

"Mr. Rains has served as secretary of the committee for many years and he has performed his duties to the state and the party in an able and outstanding manner."

The heated battle between the Loyalists and the States Righters will reach a climax in Birmingham at 10 a.m. Friday when the committee meets at the Tutwiler to elect the two officers.

Meanwhile, Mizell issued a statement in Montgomery in which he urged the States Righters to stick with Long and Monk for the two posts.

Said Mizell:

"In accordance with the caucus agreement which anti-Loyalist members had on Oct. 3, 1958, I am committed to H. Coleman Long and Dick Monk and I think that every person who participated in that caucus should abide by it.

"Although I have respect for Mr. Bailes and Mr. Rains, personally, they still are known as supporters of the infamous loyalty oath which was soundly repudiated by Alabama Democrats in the primaries.

"I can assure you a vigorous effort will be made to repeal this oath as the voters of Alabama have directed."

Bailes, in a statement issued yesterday, said "I had no more idea of running for vice chairman than taking a rocket trip to the moon." But he said Patterson asked him to run for the job, and he decided to do so in the interest of the Democratic Party of Alabama . . . My fondest hope and desire is that maybe through some effort of mine, the split can be healed and mended and that we'll go forward in the best interests of the Alabama Democratic Party."

In Birmingham, a States Rights member, Lawrence McNeil, wrote an open letter to fellow committee members.

In part, McNeil said in his letter:

"We were denied the . . . fruits of victory by the defection of the 'faithless five'—Engelhardt, DeVan, Williams, Reynolds and Stutts. Let us remember them well in the future when we must put confidence and trust in men, for they have shown to us, their former associates, that they cannot be trusted.

" . . . the commitment we made to each other last September still stands. It is still Coleman Long and Dick Monk!

"Whether we win or lose the somewhat petty positions, will not long be remembered, but if we retain our personal honor and keep faith with each other—we will be able to carry that with us a long time.

"The voters will make it a sad decision for the faithless and those opponents who seek to defeat the voters' expressed wishes.

"While he is not doing it to please us, Governor John Patterson is not doing a bad job on (the segregation) front. While he has slapped us in the face without rhyme or reason and continues to speak contemptuously of our caucus, he is, nevertheless, for the most part, doing what we want done.

"Up to the present time, we are getting a better deal from the Patterson-Engelhardt combination than the loyalists are. Let's keep our honor intact and let Judge (Roy) Mayhall and his loyalists add up their score in their leisure time."

Both Long and Monk have made it known they are still "running" for the two posts. Long said last week that he had Engelhardt's support for the job as vice chairman, but Engelhardt was expected to back Patterson's choices.

Background of the situation:

Last Spring, the fight for the 72 places on the committee revolved around the loyalty oath. The oath, generally, says if you want to run as a Democratic candidate, you must sign an oath saying you voted Democratic in the last general election.

A total of 39 members opposing the oath were lected—a majority of the 72-member group. Later, one more member joined them, making it 40 anti-loyalists.

The 40 met in Montgomery last Fall (one member was absent, but sent his proxy vote) and voted to elect Mizell chairman, Long vice chairman, and Monk secretary in the Jan. 19 meeting.

But then Governor Patterson said he was backing Engelhardt for the chairman's job. In the Jan. 19 meeting, five members who had voted to elect Mizell switched to Engelhardt—and elected him chairman by a 36-35 vote.

The members were Jerre Reynolds of Anniston, Foy Williams of Dothan, A. B. Stutts of York, A. F. (Dick) DeVan of Mobile and Engelhardt himself.

FOR SECRETARY—Hobdy Rains of Gadsden

FOR VICE CHAIRMAN—George Lewis Bailes Jr., of Birmingham.

REPORTER'S ROW

Two-Party Doublecross

Rule Works For Eastland, But Not For Powell

By Samuel Hoskins

WASHINGTON — Democrats in and out of Congress have a ready-made answer whenever they are asked why Senator James O. Eastland is permitted to continue as chairman of the powerful Senate Judiciary Committee.

They say chairmanships are determined by the long-standing seniority rule in Congress.

Since Eastland is the number one ranking Democrat on the Committee, he automatically becomes chairman, it is explained.

AS CHAIRMAN the Mississippi senator, who is both anti-Supreme Court and anti-civil rights, for the past several Congresses has used his influence to block civil rights bills and promote anti-Supreme Court legislation.

Well, the sacred seniority rule was junked, last Wednesday, in the House when upholding it would have resulted in Rep. Adam Clayton Powell being named chairman of a subcommittee in the House Education and Labor Committee.

The New York Congressman is second ranking Democrat on the Committee.

He has never been appointed chairman of a subcommittee because the Committee chairman, Rep. Graham A. Barden of North Carolina, is a die-hard segregationist.

As such, he is opposed to Powell's getting a chairmanship.

* * *

REALIZING THIS, Powell put the seniority rule to a test.

In Committee meeting Wednesday, he introduced a resolution that the rule of seniority should be observed as to subcommittee chairmanships.

Approval would have meant that Powell be named subcommittee chairman.

The resolution was voted down, 21-7.

* * *

POWELL CALLED the vote "shocking," in that all Republican members of the Committee and all the northern liberal Democrats except one sided with the Dixiecrat chairman.

The Democrats who voted for fair application of the seniority rule were:

William Green, Pa. James Roosevelt, Calif.; Herbert Zelenko, N.Y.; Frank Thompson Jr., N.J.; Ludwig Teller, N.Y.; and Robert Giaimo, Conn.

DEMOCRATS WHO voted to discriminate against Powell were:

Barden, N.C.; Cleveland M. Bailey, W. Va.; Carl D. Perkins, Ky.; Roy W. Wier, Minn.; Carl Elliot, Ala.; Phil M. Landrum, Ga.; Stewart L. Udall, Ariz.; Elmer J. Holland, Pa.; John H. Dent, Pa.; Roman C. Pucinski, Ill.; Dominick V. Daniels, N.J. John Brademas, Ind.; James O'Hara, Mich.

Republicans who voted to discriminate against Powell were:

Carol D. Kearns, Pa.; Clare E. Hoffman, Mich.; Albert H. Bosch, N.Y.; Joe Holt, Calif.; William H. Ayres, Ohio; Robert P. Griffin, Mich.; John A. Lafore, Pa., and Edgar W. Hiestand, Calif.

* * *

THE BI-PARTISAN coalition against Powell was so overwhelming that Theodore Brown, an aide of A. Philip Randolph, could not budge the pro-labor congressmen.

So disgusted was Powell, who is chairman of a subcommittee in the House Interior Committee, that he said: "I don't want to serve on any subcommittee after this shameful act of northern and so-called liberal Democrats."

Whatever else this vote proves, it skuttles once and for all the alibi that the Eastland albatross is due to the seniority rule.

* * *

THIS COLUMN pointed out last week that former President Harry Truman is believed to be among those backing Senator Lyndon Johnson as the Democratic Presidential nominee.

It was also stated that Truman helped Johnson to line up the votes for his compromise filibuster resolution.

Although many Democrats were astounded at the report the broad outline of the Johnson bandwagon is beginning to come into full view.

* * *

SENATOR Thomas C. Hennings Jr., (D., Mo.) member of the powerful Democratic Steering Committee, who heretofore has been in the habit of making a lot of noise about civil rights, boldly announced that he is a co-signer of the Johnson compromise civil rights package.

Contrary to first impressions, Johnson's bills were no hurry-up job, designed merely to beat Republicans and liberal Democrats to the draw.

They were painstakingly written after two years of careful preparation by men who were called the New Deal "brain trusters" under Franklin Roosevelt.

* * *

HOUSE SOURCES who should know are saying the mixup over the appointment of James A. Johnson of Chicago as page boy rests with the Illinois delegation, not the Dixiecrats.

No matter who is to blame, one thing is clear:—

From all the noise, one would think the appointment is as important as naming a Federal judge.

And it may be just that important.

It points up the fact that there is no such thing as fair employment even in the U.S. Congress.

Congress is 170 years old and never had a colored page boy. Fair employment ought to start with Congress!

Rayburn, Johnson Check Liberals

WASHINGTON— (UPI)— Speaker Sam Rayburn and Senate Democratic leader Lyndon B. Johnson moved this week to settle party squabbles that threatened to split Democratic ranks.

Rayburn predicted the forthcoming session would be harmonious. He said the heavily-Democratic congress "will be a responsible congress and will bring forth a legislative program that is sound and workable."

A liberal move to change House rules to curb the strength of the conservative House rules committee probably will be soft-pedaled. Rayburn was pictured as believing this move was not needed. Without his support, the move is dead.

Additionally, prospects are that Dr. Dale Alford, the Little Rock segregationist, who beat Rep. Brooks Hays (D-Ark.) in the Nov. 4 elections, apparently will be seated. Northern Liberals who want to bar Alford while a House committee investigates his controversial write-in campaign were getting little support.

The prospect also was that Alford would be accepted as a Democrat, although as he ran as an Independent Democrat against the regular Democrat, Hays.

In the Senate, Johnson was working on a compromise in an effort to head off an angry fight over the Senate fillibuster. Senate liberals want to change Senate rules to shut off debate by a simple majority vote. Southern, who use the filibuster to head off civil rights bills, do not want the rules touched. A two-thirds vote of all senators now is required to end debate.

Johnson has proposed a compromise ... would close debate by a two-thirds vote of Senators present and voting.

Kennedy Reveals Bribe Try

The New York Times Service

MILWAUKEE — Robert Kennedy, counsel for the Senate Rackets Committee investigating management and labor malpractices, said Friday that three attempts had been made to "buy" him off.

All three offers—two from management and one from labor—promised political support for his brother, Sen. John Kennedy.

The offers suggested that if he would arrange to soften or divert the committee's probes into their affairs they would be in a position to assist Sen. Kennedy (D., Mass.) in his political climb.

The chief counsel of the committee to investigate improper activities in the labor or management field told newsmen that he did not report these offers to the chairman of the committee, Sen. John L. McClellan, (D., Ark.).

Sen. Kennedy is considered a serious contender for the Democratic presidential or vice presidential nomination in 1960.

In response to questions with the committee's work, Robert Kennedy said that he had received three offers.

"I brushed them off," he declared. He declined to name the companies or the union making the offers.

When asked if possibly his failure to report these efforts to subvert the work of the committee might not constitute an illegal act, Kennedy said he had not thought of it to that extent.

He declined to pin-point in time the offers made to him. He did reveal, however, that during the last year persons connected with the union and with the two companies involved in the matter had appeared before the investigating committee in Washington.

Kennedy, here to attend the Midwest Democratic Conference, would not reveal what kind of support had been offered for his brother.

34d 1959

That Tempest In A Teapot

ALABAMA'S STATE Democratic Executive Committee is like the famous army that "marched up the hill and then marched down again."

It has created perhaps the biggest tempest in a teapot that Alabama has ever seen.

All of its members pretend to be defending segregation.

About half of them have been defending John Sparkman and Lister Hill.

The committee has been busily dividing and keeping Alabama Democrats in two groups—an office-holding group and a non-office holding group.

The loyalty oath of which so much has been heard has meant loyalty to such men as Harry Truman, Adlai Stevenson and other integrationists whatever their name, all in the name of loyalty to the Democratic party.

The oath fixed things so that no man could run for office in Alabama unless he voted for Truman or Stevenson.

In the last election perhaps 150,000 men, lifelong Democrats, voted for Eisenhower rather than for integrationist Stevenson, or they did not vote at all.

Under the old committee rule no man who thus voted or did not vote at all can be a candidate for an office in Alabama.

Among that 150,000 who repudiated Stevenson are leading Alabama Democrats, some one of whom might be a formidable candidate for the United States senate against John Sparkman next year.

—o—

In Birmingham the committee pretended to remove this oath but did it with fingers crossed, so that next January it can, if it wishes, vote again to keep anybody who voted for Eisenhower or who refused to vote, at all, from running against John Sparkman in May, 1960.

The so-called battle within the committee is simply a battle of office-holders against non-office holders.

The oath of loyalty to Stevenson and Truman keeps good Democrats from running against any of the ins who swallowed the Stevenson line, hook, bait and sinker.

It keeps the Alabama party in tune with the national party whatever its hue or color and maintains our Southern men in their powerful congressional committee chairmanships.

It is desirable at this time to have Southern men in such powerful places in Washington, though some of them have a record of very timid approach to vigorous action against integration.

—o—

As for those of us who do not hold public office, we need not get too excited over the teapot tempest in the committee.

We should simply keep our eyes open and at each opportunity do what we think is best for the interest of the state and nation.

This does not mean formation of a third political party.

It means chiefly putting men in office who will stand true, and upon whom we can depend when emergency arises—and emergency is with us these days practically every moment of our lives.

We must smite trimmers, compromisers, pussyfooters and moderates, whenever a chance comes.

Foes Assail Engelhardt Funds Use

Committee Money Spent Without OK, Anti-Loyalists Say

BIRMINGHAM (AP) — Four members of the Alabama Democratic Executive Committee Friday accused Alabama Democratic Chairman Sam Engelhardt of using committee funds without authorization.

The charges followed a report from Washington that the Alabama Democratic Committee had donated $2,500 to the National Democratic Committee.

The four committeemen from Birmingham issued a statement Friday saying that Engelhardt has not been authorized by the state committee to make such a donation.

They charged that it was "an illegal and unauthorized use of committee funds."

The charge was made by committeemen Lawrence McNeil, Sidney W. Smyer Jr., James E. Simpson and Barton Bethea.

"We have no objection to such expenses being incurred, when authorized by the full committee o a properly established subcommittee, but we will strenuously oppose the chairman assuming the authority to make donations from party funds without the knowledge or consent of committee members."

Engelhardt said in Montgomery Friday that he spent the money for tickets to a $100-a-plate dinner in Washington last February.

Engelhardt said "members of the congressional delegation went to the dinner, Coleman Long went, Walter Givhan had a ticket, and there were tickets for the governor. We came on back . . . we didn't go to the dinner."

Long and Givhan are members of the State Democratic Executive Committee.

McNeil, Smyer, Simpson and Bethea belong to the anti-loyalty oath faction of the state committee, which voted against Engelhardt for state chairman last January.

Forty members of the anti-loyalty-oath members gathered in Montgomery last fall and voted to elect Frank Mizell, Montgomery, chairman. But Gov. John Patterson threw his weight behind Engelhardt, and several of the 40 went to his support.

In a March meeting of the committee, Patterson's influence helped to elect George Lewis Bailes Jr., Birmingham, vice chairman and Hobdy Rains of Gadsden, secretary. Both are loyalists.

The Sorry Mess In Birmingham

By Bob Ingram

CLAUDE VARDAMAN, the GOP leader in Alabama, would have been wise indeed had he had the foresight to arrange a live telecast of the State Democratic Executive Committee meeting in Birmingham Friday.

INGRAM

If all Alabama could have seen this affair there would have been a sudden upsurge in Republican strength, federal bayonets notwithstanding.

The meeting was a childish, disgusting farce. It was filled with name-calling, insults, a couple of near fist fights and finally, an uncalled-for demonstration by a group of Klan-like Citizens Council members.

And the truly tragic side of the picture is that all of the controversy, all of the insults and injured feelings, were totally unnecessary. Unfortunately some old friends became bitter enemies in the long committee squabble. Never has so much been sacrificed for so little.

Gov. John Patterson, well on the way toward becoming a darn good chief executive, must accept most of the blame for the committee fiasco. It is likely that Patterson may have been talked into the mess by Charles Meriwether, but Patterson is free, white and 21. He could have said no had he wanted to.

Sam's Rise And Fall

PATTERSON'S BIGGEST mistake was committed a long time ago; last August, to be exact. It was then that he wrote a letter to an anti-loyalist member of the committee declaring he did not intend to take any part in the election of the committee offices.

This looked like a green light to the anti-loyalist. Patterson was aware that this group had elected a majority of the committee. Thus it appeared he was leaving it up to this group to decide on a chairman, vice chairman and secretary.

Faced with what they thought was an open field, the anti-loyalist huddled here in September and agreed on their candidates.

What happened to those three candidates—Mizell, Long and Monk—is now pretty well known. They were buried under the Patterson avalanche. None of them got a very decent funeral.

The chairmanship was long since settled in January with Sam Engelhardt prevailing. The manner in which he prevailed has given rise to speculation as to what sort of political miracle will be necessary to get Engelhardt a delegate's seat at the 1960 Democratic National Convention.

As chairman of the party committee, Engelhardt seems a logical choice for delegate, but as of now his political stock is so low he would be hard put to defeat a civil rights agent.

With the chairmanship safely tucked away, Gov. Patterson then turned to the other two offices. These he got Friday without working up a sweat.

For some strange reason the Patterson Administration turned on sufficient steam to get two more anti-loyalists to defect to the loyalist side—Hugh Kirkland Newville and Dan R. Morgan of Dothan.

Delayed Action Explosion

JUST WHY Kirkland and Morgan bolted is a secret known only to them. If their votes were needed it would be understandable, but this wasn't the case. They switched just to be switching.

The Friday get together was the tragic comedy that it was because it afforded the first opportunity for the opposing groups to get at each other.

The January meeting was short and sweet, with most of the cussing and shouting going on after Engelhardt adjourned the meeting. This wasn't the case Friday. There was time aplenty and both groups used it to the detriment of the Democratic Party.

The key figure Friday was Engelhardt, the new chairman. Sam has taken a terrible beating in recent months. Some men who have been his lifelong friends have recently made it a point to deliberately ignore him. Engelhardt's face reflects how deeply he has been hurt by this mess. But he has tried manfully to take it all with a grin. There's not much else he can do.

Sam had a bad day Friday. He was greeted when he entered the hotel by a group of pickets carrying placards depicting him as a "Judas" who had sold out for some silver.

And the men carrying the pickets were Citizens Council leaders. A year ago these pickets looked upon Engelhardt as their messiah, now his name is mud.

Out Of Control

ACTUALLY WHAT was to come was worse than the pickets. Engelhardt was to preside over the meeting and in his debut as a presiding officer he left a lot to be desired. For all of his talents, Engelhardt never distinguished himself as a parliamentarian, and he did nothing to enhance that reputation Friday.

The meeting was completely out of control from start to finish. Engelhardt tried hard to maintain order but it was more than he could master.

And Engelhardt wasn't exactly all smiles at the manner in which George Lewis Bailes, of Birmingham, began to take charge after his election as vice chairman.

Bailes, Meriwether's boy, looked much like he thought he was the new chairman. Toward the end of the day Engelhardt was visibly annoyed.

In a huddle after the adjournment one of the anti-loyalists made some reference about a promise Bailes had made to him concerning the four-man rules committee which is to be created.

"I don't know anything about what he said," Sam said angrily, "but I'm chairman of the committee."

For what is was worth, when Engelhardt declared the meeting adjourned it was Bailes who suddenly grabbed the gavel and pounded it on the rostrum. He seemed to like the feel of it.

The meeting Friday also afforded another opportunity for the public to see the peculiar alignments that were taken in the committee fight.

Mayhall's Remarkable Adaptation

CIRCUIT JUDGE Roy Mayhall was in the thick of the fight in behalf of the Patterson candidates. This is the same Mayhall who played footsie with Patterson's buddy Jim Folsom for four years, then last spring had a "Win With Wallace" stick-er on his car.

Backing up Mayhall's play was Fuller Kimbrell, as big a Folsomite as you could find.

In other extreme were the anti-loyalist who were stepped on by Patterson. Yet it's a safe bet that at least three-fourths of this group were active supporters for Patterson last year—men like Lukie Anderson, Escambia County campaign manager for Patterson; Alston Keith, Sen. Walter C. Givhan, Henderson Bruce and O. P. Lee.

You always hurt the ones you love.

NATIONAL DEMOCRATIC COMMITTEEWOMAN Vel Phillips of Milwaukee, Wis., who attended Democrats $100-a-plate dinner in Washington, Saturday night, is shown with Paul Butler national chairman.

Southern Demos Plan Meet In Capital, Engelhardt Says

BIRMINGHAM (AP)—A meeting of Southern members of the Democratic National Committee will be held in Washington this week as part of a movement to bring the South together, State Highway Director Sam Engelhardt said Sunday.

Engelhardt, as chairman of the Stae Democratic Executive Committee, will go to Washington this week for a meeting of the national committee.

He said Gov. John Patterson and a portion of his staff will also make the trip in order to be in on the meeting of Southerneers.

"Sometime during the time we are there we'll have a caucus of all the Southern members," said Engelhardt. "This is part of the southwide movement to bring the South together to fight the left wing of the Democratic party.

"Governor Patterson, Governor Hollings of South Carolina, Governor Vandiver of Georgia and the attorney general of Louisiana have been working on it for some time."

Engelhardt made the remarks on TV's "Alabama Press Conference."

The Southern group, he said, "hope to prevent the national convention from being held in Los Angeles. I prefer its being held in Miami."

He said he objects to the West Coast city because "most of the radical elements of the Democratic Party would be at Los Angeles."

Asked what in his opinion the biggest threat to segregation in Alabama is, the former executive secretary of the Alabama Citizens Councils replied:

"Voter registrationis the key to the whole problem. If they (Negroes) are allowed to register en masse, that will settle it, insofar as integration is concerned, because they'll get control of the ballot box.

"Naturally we are greatly concerned with attempts at (school) integration, not only in Birmingham but in various other schools in the state next September."

CIVIL RIGHTS PICTURE

New York—This clamor by Southern Democrats for the scalp of Democratic Party Chairman Paul Butler because of his championship of civil rights and backing up of Camille Gravel Jr., in Louisiana, is going to be a pretty important factor in the 1960 elections.

Although I'm pretty certain Mr. Butler didn't plan it that way, millions of colored Americans voters will be watching to see how he makes out. If the party sees fit to dump him and upholds the Louisianans in their efforts to oust Gravel, it will be a clear indication that the party's liberal wing lacks the strength or inclination to put up a determined fight in the field of civil rights.

In that case, look out, because I predict that the colored vote will swing to the GOP, seeing it as the lesser of two evils.

ALBERT EVANS

34d 1959

We Say Let Them Bolt

The utter desperation of Dixie segregationists can be seen in the decision of first Alabama and now Arkansas to send unpledged delegates to the Democratic National Convention.

Thus these two states join with Georgia, Louisiana and Mississippi in the abortive scheme to withhold their 49 electoral votes from the Democratic presidential candidate unless he and the convention knuckle under to their segregationist demands.

The scheme is the brainchild of the bitter end Committee for the 48 States, a reactionary outfit which has its roots embedded deep in the ill-fated 1948 Dixiecrat movement.

* * *

THE HOPE OF the segregationists is that with their conspiracy they can blackmail the Democratic National Convention into accepting their handpicked candidate and embracing their White Citizens Council civil rights views.

The hard political fact is that this scheme did not work in 1948 and the admission to statehood of Alaska and Hawaii assures it far less chance of success in 1960.

That the brazen threats of unreconstructed rebels no longer cause nervous tremors in the Democratic camp is shown by the blunt announcement that these unpledged delegates may be denied seats at the national convention.

* * *

THE CONVENTION RULES hammered out in 1952 after the 1948 bolt clearly specify that participation in the selection of a candidate imposes a responsibility that an opportunity shall be afforded voters of each participating state to cast their ballots for duly nominated candidates under the Democratic label.

This precludes any shenanigans like that which occurred in Alabama where the names of the Democratic candidates were omitted from the ballot.

Moreover, Democratic Chairman Paul Butler has served notice that the party organization will not be deterred by these Dixie threats from pursuing a policy of full support of civil rights.

He could not do otherwise if he hopes for victory in 1960. Mr. Truman proved this beyond a doubt when he was denied the electoral votes of four Confederate states and still triumphed.

It would make absolutely no political sense for any candidate to retreat from Mr. Truman's clearly announced civil rights stand of 12 years ago and still hope to have a chance next year.

* * *

AN INDICATION of how ill-conveived is their scheme is the fact that the worst the Dixiecrat conspirators could possibly do would be to bring about the defeat of the Democratic candidate.

We don't see how this could be possible, but for argument's sake let's concede that this may happend. They thus would insure the election of a Richard Nixon or a Nelson Rockefeller, neither of whom has anything in common with their 19th Century states rights philosophy.

DEMOCRATIC

Frankly, our fervent hope is that the Dixiecrats carry through with their threatened walk-out. It would be the best possible thing that could happen. It would not only end much confusion, but would help clear the political air.

No longer would Congress be burdened with the Eastlands, the McClellans, the Ellenders and the Russells frustrating the will of the American majority from their exalted positions as committee chairmen.

We say let them bolt. The sooner the better. We would view such an event as good riddance of very smelly rubbish.

'THEM BONES, THEM BONES GONNA RIDE AGAIN!'

Butler Persists In Iniquity

NATIONAL Democratic Chairman Paul Butler persists in his determination to heap insult upon that portion of the Democratic party which has been its strongest unit of dependence for more than a hundred years.

Not long ago he said that if the South couldn't accept a national party approval of the Supreme Court's race mixing decree it could get out of the party and find a home somewhere else.

He was not quite so blunt in addressing the newspaper editors' convention in Washington. But he said the Democratic party platform will contain a plank upholding the Supreme Court's desegregation decree. "I believe," he said, "the party must be candid and honest with the American people as to where it stands. No problem facing the country is more important than our ability to live together regardless of race or national origins . . . We hope the party North and South and East and West will be able to accept that statement of belief."

As for "living together," the relations between Negro and white in the South were harmonious and brought marvelous progress to the Negro race through aid of white friends among whom the Negroes lived.

The trouble came when the outside agitators began to get in their work, when Northern political demagogues supported by the money of designing white men entered the South with their firebrands and tried to set fires everywhere to good feeling. Their efforts have stirred the North as well, so that the Negro problem has become an even more serious problem in that region of the nation than it has ever been in the South where there had existed such thorough understanding between the races, and such cooperation and helpfulness.

Mr. Butler speaks for the type of agitator and trouble maker that is harassing the whole nation. It is hard to believe that he can carry even the leftist wing of the Democratic party in the North along the course of communistic "togetherness" he has outlined.

Diggs, Dawson get home office rents

WASHINGTON (NNPA) — Rep. William L. Dawson, (D., Ill.) is drawing $100 a month from the Government to pay office rent in a Democratic headquarters on Chicago's South Side.

House vouchers showed Monday that Mr. Dawson got $300 reimbursement for rent paid during the last three months of 1957. He attached three receipts for $100 each signed by Alderman William H. Harvey of Chicago's Second Ward.

Mr. Dawson, who was the ward's alderman from 1933 to 1939, said the $100 went, and continues to go, for space in the Second Ward Democratic headquarters at 315 E. 35th St.

* * *

"I LIKE to keep close to my constituents," Mr. Dawson explained. "The organization office is in the heart of my constituency." The total rental paid by the organization, Mr. Dawson said, is $300 a month plus heat.

Mr. Dawson, chairman of the House Government Operations Committee, reported that he has subleased space in the Democratic office since he was elected to his first term in Congress in 1942.

Since 1939, Mr. Dawson has been Democratic committeeman from the Second Ward. He said Alderman Harvey is acting committeeman in his absence.

Other entries disclosed that Rep. Charles C. Diggs (D., Mich.), was reimbursed at the rate of $75 a month for space rented during 1957. Mr. Diggs submitted receipts from "Diggs Enterprises, Inc.," of Detroit.

Dixiecrat Fight Faces Democrats

By W. H. LAWRENCE,
Copyright, 1959, by The New York Times Co.

WASHINGTON—The rise of a neo-Dixiecrat movement in the South presented Tuesday the distinct possibility of another bruising party loyalty battle in the 1960 Democratic convention.

The Southern move, so far embraced by five states, is aimed not at creation of a third party, but rather toward freeing presidential electors from any obligation to vote in the electoral college for the Democratic presidential and vice presidential ticket even if the nominees carry the home state of the electors.

National party leaders are keeping the new movement under close surveillance with a view to determining whether these states should be denied seats in the Democratic convention, which will convene in Los Angeles July 11.

Present national convention rules state the understanding that a state party organization, by certifying delegates to the national convention, "thereby undertakes to assure that voters in the state will have the opportunity to cast their election ballots for the presidential and vice presidential nominees selected by said convention, and for electors pledged formally or in good conscience to the election of these presidential and vice presidential nominees under the Democratic party label and designation."

The Southern campaign, which amounts to a threat to try to force the presidential election of 1960 into the House of Representatives where each state—large and small—would have a single vote, gained impetus last week when the Alabama Democratic Executive Committee freed its electors of any obligation to support the national ticket. Similar freedom of choice exists for electors from Georgia, Arkansas, Louisiana and Mississippi.

If enough states were to join the movement, and without their votes from either the Democratic or Republican presidential tickets, then neither major candidate would have the necessary majority to win election in the electoral college. With the addition of Alaska and Hawaii to statehood by the 1960 elections, the electoral college will have 537 members, with 269 required for election.

Paul M. Butler, Democratic national chairman, declared Tuesday his organization would not be deterred from the fullest support of civil rights by threats of secession.

"Even though some Democrats do not agree with the position of the Democratic party on civil rights, we do not believe that they will serve the best interests of themselves or of the states or of our nation or of our party by walking out on the Democratic Party or its nominees," Butler said.

The Southern move, which has been picking up steam for some months, differs from the 1948 strategy of the Dixiecrats. At that time, the States' Rights Party nominated its own ticket headed by Senator, then Governor Thurmond, of South Carolina. It received 39 electoral votes, including those of South Carolina, Alabama, Louisiana and Mississippi, but not enough to prevent the election of President Truman.

Party Brass Eyes Movement

Will Dixiecrats 'Throw' Presidency Into House?

By W. H. LAWRENCE
The New York Times News Service

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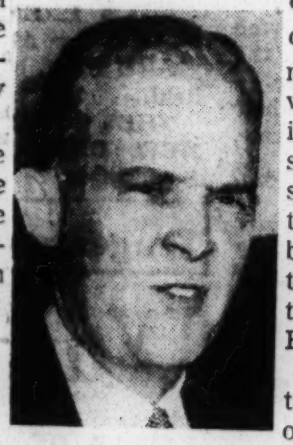
The Southern campaign, which amounts to a threat to try to force the presidential election of 1960 into the House of Representatives where each state — large and small — would have a single vote, gained impetus recently when the Alabama Democratic Executive Committee freed its electors from the 1948 strategy of the Dixiecrats. At that time, the States' rights party nominated its own ticket headed by J. Strom Thurmond, then a senator, of South Carolina. It received 39 electoral votes, including those of South Carolina, Alabama, Louisiana and Mississippi, but not enough to prevent the election of President Truman.

Paul M. Butler, Democratic national chairman, declares, however, that his organization would not be deterred from the fullest support of civil rights by threats of secession.

"Even though some Democrats do not agree with the position of the Democratic party on civil rights, we do not believe that they will serve the best interests of themselves or of the states or of our nation or of our party by walking out on the Democratic Party or its nominees," Butler said recently.



BUTLER

"I do not wish to speculate in 1959 on what action the Democratic National Committee or the Democratic national convention of 1960 might take with regard to states whose delegates do not come to the convention in good faith or whose electors are not pledged to support the nominees of the Democratic Party.

"At this time I wish merely to associate myself with the view expressed by former President Truman when a similar question was addressed to him last fall and he replied that he did not think the South was going to secede again in 1960."

The Southern move, which has been picking up steam for some months, differs from the 1948 strategy of the Dixiecrats. At that time, the States' rights party nominated its own ticket headed by Senator, then Governor Thurmond, of South Carolina. It received 39 electoral votes, including those of South Carolina, Alabama, Louisiana and Mississippi, but not enough to prevent the election of President Truman.

34d 1959

DEMOCRATIC

Meeting Slated On Loyalty Oath

Englehardt Wants Democrats To Amend Pledge

WON'T BE PEACEFUL

By United Press International

MONTGOMERY, Ala., Jan. 22.—Chairman Sam Engelhardt announced Thursday he would call a meeting of the State Democratic Executive Committee next month to amend the so-called loyalty oath.

However, a source told United Press International, "The meeting certainly will not be all peacefulness and light."

Mr. Engelhardt declared he has "at least 50 votes" to change to oath so that candidates would bind themselves only to support of state Democratic nominees instead of all party candidates.

With States Righters

This places Mr. Engelhardt, Governor John Patterson's new highway director, squarely with the anti-oath or states rights group which campaigned in the spring primaries to throw out all parts of the pledge except those affecting state nominees.

However, a states righter said his group may fight Mr. Engelhardt's chairmanship and try to push Montgomery attorney Frank Mizell into the powerful post.

The source, who asked not to be identified, said recent disclosures by Jerre Reynolds of Anniston, committeeman who switched his allegiance from Mr. Mizell to Mr. Engelhardt, would have a "strong" effect on the feelings of the anti-loyalists.

Admits Job Offered

Mr. Reynolds admits he was offered a post on the State Alcoholic Beverage Control Board, [illegible] he turned down. [illegible] Anniston attorney denied [illegible] a "political payoff." [illegible] also admits that he is [illegible]ring another state job [illegible] declines to name the

Segregation Meet Slated

Mississippi and Alabama Democrats plan to meet here tomorrow to talk about concerted action on segregation.

The meeting is set for 10 a.m. in the Senate chamber.

Bidwell Adam, chairman of the Mississippi Democratic Executive Committee, said yesterday H. Coleman Long, vice chairman of the Alabama Democratic Executive Committee, had asked to speak before the Mississippi group.

State Sen. W. M. Rainach of Homer, La., also joined in arranging the speaking engagement. Rainach is chairman of Louisiana's joint segregation committee.

Rainach said the idea is to start "a move to unite the South so it can be the balance of power in the next national convention instead of having the National Assn. for the Advancement of Colored People be the balance of power."

Among the Mississippi group's own problem is what to do about $11,000 collected for the party. Adam has opposed sending the money to the national party "until we see what attitude the national party takes regarding the South."

Adam had invited national chairman Paul Butler to the meeting to apologize to the South for saying that southern Democrats could accept the party's civil rights stand or get out.

Butler told newsmen he had nothing to apologize for and that he would be unable to attend the Mississippi meeting.

Engelhardt Plans Parley

Chairman Sam Engelhardt of the Alabama Democratic Executive Committee said Wednesday he planned to call a meeting of that group "sometime in February" to transact business which did not get transacted at Monday's organizational session.

This business includes the election of a committee vice chairman and secretary-treasurer, and also a vote on the controversial loyalty oath.

A majority of the committee members were elected on a pledge to repeal that oath which binds party nominees to support the national party nominees for president and vice president.

Normally the election of officers and the loyalty oath vote would have come up at the organizational session, but at Monday's hectic session Engelhardt adjourned the meeting only moments after he had been elected chairman.

Engelhardt Vows Fight Against Oath

State Democratic Chairman Sam Engelhardt reemphasized his opposition to the party loyalty oath Friday and predicted as many as 50 votes may be cast against it.

Engelhardt adjourned a meeting of the State Democratic Executive Committee immediately after his election as chairman Monday without letting the loyalty issue come up.

But he promised to call another committee meeting shortly for the expressed purpose of repealing the controversial pledge which binds Democratic candidates in Alabama to support the national party in Presidential election years.

Engelhardt, the newly installed state highway director, said Monday he cut the meeting short to keep from getting into a long the time for Gov. John Patterwrangel which might run past son's inauguration.

Later he said he feared the move to kill the loyalty oath might have been defeated if put to a vote in the wake of his election and the bitter feelings it caused. Engelhardt won on a 36-35 vote after a committee member twice pledged to Montgomery Atty. Frank Mizell switched his support.

The new chairman said Friday "we may have as many as 50 votes when we repeal the loyalty oath." In fact, he said a national party loyalist sworn to uphold the oath had asked to be allowed to introduce the resolution knocking it out. He refused to identify the man.

Alabama Walkout Denied By Mizell

Not Sponsoring Action, Says Job Candidate

MONTGOMERY, Ala., Jan. 12.—(UPI)—Attorney Frank Mizell, states rights candidate for chairman of the Democratic Executive Committee, declared Monday he is not advocating any Alabama walkout at the 1960 convention if anti-South candidates are nominated.

"I am not sponsoring any walkout by the Alabama delegation," said Mr. Mizell. "Any reports that I am sponsoring a walkout is rumor propaganda circulated by the loyalist segment of the state Democratic Executive Committee."

The outspoken segregationist said, "The Alabama delegates to the 1960 convention will be selected by the Democratic voters of Alabama and will not be selected by the state Executive Committee nor its chairman. What these delegates do at the convention will be a matter for their decision at the time the radical Northern Democrats insult them with pro-integration principles."

Mr. Mizell said he was promoting only the "destruction" of the "odious and vicious loyalty oath" which requires the state Democratic candidates must pledge they will vote for national party nominees regardless of who they might be or what programs they endorse.

The loyalty oath, a bitter issue in the spring election of the 72-man committee, was adopted after Alabama bolted the national party in 1948.

South To Fight Demo Leftwing

Englehardt Tells Caucus Plans

BY CLARKE STALLWORTH

Southern members of the Democratic National Committee will meet this week in Washington "as part of Southwide movement to bring the South together," according to Sam Engelhardt.

Mr. Engelhardt, state highway director and chairman of the State Democratic Executive Committee, will go to Washington for a meeting of the National Committee.

Engelhardt said Gov. John Patterson and members of his staff will go to Washington to participate in the Southern caucus. Said Engelhardt:

"Sometime during the time we are there, we'll have caucus of all the Southern members. This is part of the Southwide movement to bring the South together to fight the leftwing of the Democratic Party.

"Governor Patterson, Governor Hollings of South Carolina, Governor Vandiver of Georgia and the attorney general of Louisiana have been working on it for some time."

At the Washington meeting, Engelhardt said, "we hope to prevent the national convention from being held in Los Angeles. I prefer its being held in Miami."

Engelhardt said he objected to Los Angeles because of the distance and because "most of the radical elements of the Democratic Party would be at Los Angeles."

Engelhardt said he has no present plans to run for delegate to the convention, but if he was elected delegate, he would not favor a walkout by Southern delegates.

"I'd want to stay in there and fight it out just as long as I possibly could," he said.

Engelhardt said he probably would call a meeting of the State Democratic Executive Committee during the week of March 1-7. He was asked if his bitterly-fought victory as chairman had split the party in Alabama.

"I think we've simmered down a little bit now. I hope we have, because never in the history of this state has there been such a need for unity as there is now," he said. "I know I have no hard feelings about it. I hope we can all get together and put up a solid front with the other Southern states."

Engelhardt was elected chairman by a one vote margin last month, after 40 members had pledged themselves to elect Montgomery Atty. Frank Mizell as chairman.

In the coming meeting, Engelhardt said the vice chairman and secretary of the committee will be elected and a finance chairman will be appointed. The controversial loyalty oath also is expected to be killed.

Engelhardt, former executive secretary of the Alabama Citizen's Councils, was asked what he thought is the biggest threat to segregation in Alabama.

"Voter registration is the key to the whole problem. If they (Negroes) are allowed to register en masse, that will settle it, in so far as integration is concerned, because they'll get control of the ballot box.

"Naturally we are greatly concerned with attempts at (school) integration, not only in Birmingham but in various other schools in the state next September. I am sure that there will be many attempts at that time," said Engelhardt.

Engelhardt commented on the resignation of Herman Nelson, highway director under former Governor James E. Folsom. Said Englehardt:

"Mr. Nelson has enjoyed the reputation of one of the finest highway engineers in Alabama and we hate to lose him."

Englehardt said the Patterson administration will spend some

$503 million on highways during the next four years.

"We're going to give (the people) just as square a deal as we know how. We probably won't build as many roads as have been built in the past, with the same amount of money, due to the fact we're going to build better roads . . . roads that will hold up under increased traffic," he said.

The highway director said he has instituted an economy program in his department. He said he has recalled to Montgomery 116 highway department vehicles, revoked 751 gasoline courtesy cards of department employes, and separated 138 employes from the department.

This, he said, is saving the state $29,000 a month.

While in Washington, Englehardt said he will contact Federal highway officials in an effort to get some $2 million for access roads near defense installations in Alabama.

Englehardt was questioned on "Alabama Press Conference" over WAPI-TV by Fred Taylor of The Birmingham News, and Don Martin, Montgomery manager for United Press International.

TO MEETING — Sam m Engelhardt.

Democrats' Efforts For Unity

THIS IS THE week the Democratic national committee is to meet in Washington to see if some party harmony can be developed and to determine whether the radicals of the party are going to be allowed to continue to regard the South as a foreign country without vote in Democratic party affairs.

Alabama will be represented at the meeting by prominent Democratic officials as well as by Governor Patterson and some of his close political advisers.

Advance statements are made that the Southern men and women connected with the national committee are planning a caucus before hand to see whether they can present a united front in resistance to the interference of northern demagogues in our internal affairs, including the running of our public schools.

There is not much encouragement in the hope that the Reuthers, Adam Clayton Powells and the NAACP are going to lessen their hostility toward the South or that they can be restrained from their selfish sectionalism.

We recognize that there is a certain amount of dissension even among Democrats in Alabama, and this illustrates the difficulty that may be found in bringing about a unity program for the whole South. There is much selfishness involved and there are personal political ambitions that must be served.

Strangely most of the people of the South, certainly in Alabama, are united upon one thing and that is the preservation of the public school system on segregated, separate but equal basis. But there seems to be difficulty in the methods of reaching this goal, and it is the "methods" which are dividing the state's Democrats.

If representative Democrats of the South, however, can go to Washington and meet face to face for heart to heart talks they may find that "in union there is strength" and that such unity can make itself felt more forcibly than any other known means of resisting the massive assaults being made upon the South's way of life. We want adherence to the letter of the law as laid down in the Constitution and we represent the South's refusal to substitute Myrdal for the founding fathers who framed our organic law.

Johnson And Powell

Rep. Adam Clayton Powell (D., N.Y.) has been quoted as saying he is considering backing Senator Lyndon Johnson of Texas as the Democratic candidate for President.

The New York Congressman did not deny the statements attributed to him, so we assume the story is relatively accurate.

Powell is quoted as saying he leans toward Johnson as the Presidential nominee because the Texan is about the strongest man the Democrats have.

Powell did not predict colored voters would support Johnson, but he stopped just short of such a prediction by listing a number of factors he says colored voters would "count in Johnson's favor."

* * *

HE LISTED these factors as:—

(1) Johnson introduced a civil rights bill. Although it is a weak bill, he is the first Southerner in Congress to submit such a bill.

(2) In 1956 Johnson refused to join other members of the Dixie delegation in signing the Southern manifesto.

(3) As a Southerner, Johnson is more honest in the field of human relations than many Northerners.

At best, these are sorry recommendations for a Presidential candidate. Where Johnson is concerned, they are worst than sorry.

The 1957 Civil Rights Law is a prime example of the type of legislation produced by Johnson's political compromise.

Under the alleged authority of this law, the U.S. Department of Justice doesn't even have the power to stop Southern states from denying colored the right to register and vote.

By this yardstick, the pending Johnson civil rights bill is something more to be ashamed of than brag about.

As for Johnson's being an "honest Southerner" is but to beg the question. It certainly is no reason why he merits our support for the Presidency.

* * *

IN NOVEMBER, 1960, colored voters will not be looking for a Southerner "more honest" than "less honest" Northerners.

They will be seeking a President strong enough to enforce the law of the land relative to voting rights and school desegregation.

They hardly will be inclined to vote for a candidate admittedly ready to "Mediate" where their rights as citizens are concerned.

We don't know what Powell's motive was, or is, in even hinting he may support Johnson for President. Frankly, we don't particularly care.

However, if either Powell or the Democrats think colored voters will support Johnson, be he Southerner, Northerner or Eskimo, they are dead wrong.

If Johnson, who basically is a backstage political maneuverer, is the best the Democrats have to offer as a Presidential nominee, then our advice to the Democratic Party is this: Concede defeat now.

'. . . Fool Me Twice, Shame On Me'

Democratic National Chairman Paul Butler has declined at this time to give a position on seating presidential convention delegates in Los Angeles next summer who were elected in states whose presidential electors are unpledged to the party.

In many, if not most, states, the law is that a presidential elector is bound to give his vote to the candidate of the party under whose seal he ran. What is proposed in Alabama, as in 1948, is that the 11 presidential electors be clothed with the powers they enjoyed in the earlier days of the Republic. They were free then to deliver their state's vote to whatever presidential candidate they wished. Nowadays, the presidential elector is in most states merely a ceremonial figurehead bound to validate the popular vote in the election.

The question of power-of-attorney electors, which means another Dixiecrat splinter party much like that in 1948, is wreathed in complexities.

One factor is perhaps going to make the ground soggy for the Dixiecrats of '60, and that is what has happened recently within the State Democratic Executive Committee. Its members were fully pledged to certain things. The weight of the Patterson Administration was brought to bear upon these commitments and they thawed and resolved themselves into a dew.

Thus the voter is assured by a slate of candidates for presidential elector that it will deliver the state's popular vote to this candidate and withhold it from another. The voter will reasonably wonder if such an elector slate might not, between May and December, be made to flip like the Democratic Executive Committee.

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DEMOCRATIC

BACKS LOYALTY OATH

Patterson Opposes Rule To Permit Party Revolt

By REX THOMAS
AP Staff Writer

Gov. John Patterson says he is opposed to any change in the Democratic Party rules which leave Alabama's presidential electors free to bolt the national ticket again.

The controversial loyalty oath which for two presidential elections compelled candidates to swear allegiance to the national party nominees was thrown out by States Rights majority on the Democratic Executive Committee.

National Party Loyalists are expected to make a strong effort to restore the discarded pledge when the committee meets in January to fix the qualifications for candidates running in the 1960 primaries.

Patterson, speaking of the milder loyalty oath now in effect, said "they ought to leave it like it is."

Thus the governor answered one of the most puzzling riddles of his administration. States Righters have been intensely critical of Patterson since he got Highway Director Sam Engelhardt elected to the committee chairmanship nine months ago.

The States Rights faction which dominates the committee had endorsed Montgomery Atty. Frank Mizell, but Engelhardt won with the votes of five States Righters who switched over plus the support of the Loyalists.

And a Loyalist committeeman, George Lewis Bailes Jr., of Birmingham, was elected vice chairman.

States Righters since then have openly wondered where the governor stood on the loyalty oath and what stand he would take in January.

Patterson, in his statement of intentions, sounded an appeal for party harmony. He expressed hope that the committee will "do whatever they can to help the State of Alabama and the party, and forget personal grudges and personal ambitions."

The oath of allegiance adopted when the present committee took office requires candidates to swear only that they will support the nominees of the Democratic Party in Alabama.

With the same terminology in force next year, candidates for presidential elector would be free to withhold their support from the Democratic nominee if they disagreed with his views, especially in racial matters.

Actually, they have had that right all along because the State Supreme Court has ruled that electors are free agents who cannot be compelled to vote for their party's ticket.

But the loyalty pledge which prevailed during the elections in 1952 and 1956 required candidates to promise they would stick with the national party. They couldn't do otherwise without disregarding the oath they took.

That restriction was written into the party rules after the famed States Rights revolt in 1948. Alabama's presidential electors that year refused to vote for Harry Truman, the Democratic nominee, and supported the States Rights ticket of J. Strom Thurmond and Fielding Wright.

Democrats Face Rift In Arkansas

LITTLE ROCK, Ark., Oct. 24 (AP)—Negro leaders have indicated they will boycott a Democratic Party harmony dinner here because the affair calls for segregated seating.

Two Negro leaders met with dinner sponsors early this week and agreed to provide the names of 25 other Negroes to be invited.

The next day Harold Jinks, regional agent of the Democratic National Committee, announced that Negroes would be seated at segregated tables.

I. S. McClinton, president of the Arkansas Democratic Voters Association, a Negro group, said yesterday he would not attend on a segregated basis. He said he had discussed the seating arrangements with Jinks and was waiting to hear from him.

The dinner is set for Friday.

A Negro clergyman, the Rev. Roland Smith who heads the Arkansas Christian Movement, supported the planned boycott by saying that attendance on a segregated basis would amount to supporting Gov. Orval E. Faubus, a staunch defender of segregation.

McClinton had said earlier that Negroes should remain in the Democratic Party as a practical matter since it was the party that elects public officials in Arkansas.

Smith opposed such a stand.

"There are those of us who feel that under no circumstances can the Negroes of this state support the present Democratic leadership headed by the Governor," he said. "At the present time the Negroes of this state have no choice but to take a walk or support an independent candidate for leadership of the Democratic Party."

Hollings Hints At Possible Independent Southern Party

By W. D. WORKMAN JR.
Capital Correspondent

ASHEVILLE — South Carolina's Gov. Ernest F. Hollings openly faced up Sunday to the possibility of an independent Southern political movement in 1960.

The governor, holding a press conference at the convening of the 25th annual Southern Governors' Conference, acknowledged that certain combinations of candidates and platforms by the national Democratic party might cause the Southern states "to make a very reluctant choice to go on our own" in the 1960 presidential contest.

One combination of candidates which would lead toward that result, he said, would be a ticket which had Sen. Hubert H. Humphrey of Minnesota and Gov. G. Mennen Williams of Michigan as Democratic nominees for president and vice president.

Gov. Hollings cited the 1948 campaign of the States Rights Democrats as an example of what might be done if the South is forced away from the Democratic party. He said he thought the 1948 movement "accomplished something" and added maybe we could run a little closer" if the same course were followed in 1960.

When asked what other states might go along with South Carolina in such a movement, Gov. Hollings said: "That's the whole question."

He then named Alabama, Georgia, North Carolina, Virginia, Tennessee, Mississippi and Arkansas as states which, in his view, would put the interests of the South ahead of loyalty to the Democratic party.

Texas, he said, likely would be bound to Sen. Lyndon Johnson's course. No one can tell now, he said, what Louisiana would do. Florida has "a complex situation," he added, with reference to the large percentage of Northerners now in the state. He dismissed Kentucky with the observation that Gov. A. B. (Happy) Chandler is "acting more like a candidate than some of those who have announced."

Hollings discounted any likelihood of the Republicans' carrying South Carolina, saying that they had "muffed" their greatest opportunity when the Eisenhower administration did not live up to the expectations aroused by the president's States' Rights speeches as a candidate, including one made in Columbia.

Gov. Hollings stressed throughout his press conference his contention that the South is the last bastion of self government, free enterprise, and constitutional government. He agreed with the suggested premise that "What's good for the South is good for the nation."

Negroes To Snub Harmony Dinner Of Democrats

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The next day Harold Jinks, regional agent of the Democratic National Committee, announced that Negroes attending the dinner would be seated at segregated tables.

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The dinner is set for Friday.

JACKIE ROBINSON

A few weeks ago, in an article entitled, "The Political Decline of Dixie," Look Magazine expressed the contention that the formerly vast power of Southern politicians is flickering out today "in the Federal Courts, in the Congress and in the Democratic Party, where its racial attitudes influenced the decision of party councils for a hundred years."

Since then, an Alabama group calling itself the "St. Clair County Committee for Better Race Relations" has filed suit against the magazine, charging Look with circulating "certain entree, misleading, libelous and scandalous matters in regard to the status of prowess and political influence and strength of Southern members of the United States Congress and in particular such Alabama."

Circuit Judge L. P. Waid then signed an injunction banning the magazine from the county's newsstands, until a hearing is held on the suit, which charges "infamous distortion of truth."

I called Dan Mich, executive editor of Look, to find out what their reaction had been to this, and whether or not this story had affected either their policies or their circulation.

Dan told me that most people, considering the source, don't pay too much attention to this sort of thing.

"However," he continued, "I can point out that policy-wise, if we allowed ourselves to be in the least intimidated by actions such as this, we would have gone out of business a long time ago."

As for circulation, he was happy to report that their last issue since this story broke achieved the highest circulation in their history.

"But you don't let a thing like this go unchallenged," Dan added, stating that the entire matter is currently in the hands of their attorneys. "This seems to me to be an outright violation of the freedom of the press, and you can be assured that proper action will be taken," he concluded.

* * *

I COULDN'T help but smile a little as I hung up, for I knew what Dan's reaction would be even before I called. You may recall that Look handled the story of my retirement from organized baseball three years ago, and it was Dan Mich who made the arrangements.

As we've gotten to know each other pretty well since then, I had no doubt that he would refuse to be intimidated by so obvious an action, when he has stood up to be counted in more perilous times in the past.

* * *

THOUGH SUCH articles as "Approved Killing in Mississippi," about the murder of 14-year-old Emmett Till, "Segregation in the North," and "A Solution For the South," all brought cries of rage from some quarters, North and South, I'm happy to say their threats of boycott and reprisal have left Dan and his staff unmoved.

And obviously, this policy of sticking to their guns is the correct one, not only morally, but tactically as well.

I'm reminded of a cigarette company which, a few years ago, decided to heed Southern threats of boycott and retrench a little on their policy of treating colored employees and consumers as equal individuals. The result was that colored consumers began to buy other brands, and the company lost both principle and customers.

* * *

LOOK'S ARTICLE is a greatly interesting one and lists as recent contributions to Dixie's decline such developments as the capitulation of Virginia on school desegregation; the rebuff of Gov. Faubus' segregationist school board candidates in Little Rock; a huge increase—despite great intimidation — in colored voters in the South; Democratic Party chairman, Paul Butler's efforts to keep Southern racism from dominating the party, and the admission of Alaska and Hawaii to statehood.

* * *

SPEAKING OF Hawaii, it seems the Republicans have another recruit for their unholy alliance with Southern Democrats, which passed the recent labor bill in Congress in undoubted exchange for junking any serious civil rights legislation this year.

I was greatly disappointed to read of a recent statement by Hawaii's newly seated Republican Senator Hiram Fong in which he subscribed to a "go slow" approach to civil rights measures.

If Senator Fong thinks that he can benefit Hawaii's multi-racial population by joining those who seek to stymie equal opportunity here on the mainland, then he obviously has no real understanding of the situation here.

The senator should be reminded that these same "go-slow" advocates were the very people who for so long kept Hawaii — for admittedly racial reasons — from entering the Union.

It ill-behooves this representative of Hawaii's many and varied backgrounds to cooperate with racism simply because it has been the "custom" here on the mainland.

Butler Vote Formula For 1960 Convention Would Weaken South

The News and Observer Bureau,
1326 National Press Building.

By EDWARD JAMIESON.

WASHINGTON — North Carolina would get one more vote at the 1960 Democratic National Convention than it did in 1956, but the vote of the South as a whole would be weakened under a change in voting allocation proposed Saturday by National Chairman Paul M. Butler.

The State's delegate strength would be increased from 36 to 37 under the new Butler formula, which does away with the old bonus system for party faithfulness.

Bonus System.

Under the bonus system, the 12 Southern states picked up 88 bonus delegates at the 1956 convention—almost one-third of the 280 allocated. North Carolina got eight bonus votes in 1956 for staying in the Democratic column in 1948 and 1952.

The total votes of the 12 Southern states at the convention next year would be jumped from 364 to 370.

Percentagewise, however, the 12 states would control just a little more than 25 per cent of the votes, as against nearly 27 per cent in the 1956 convention.

In proposing to increase the total number of votes at the 1960 convention from 1,372 to 1,475, Butler is asking the National Committee to eliminate the various bonuses which have been given states since the election of President Truman in 1948.

Instead, he has recommended a return to a specified number for each member of Congress for the states, along with added one-half votes for each member of the National Democratic Committee.

He contends that this is not a move to deprive the Southern states of its proportionate power in the convention. The cut in percentagewise representation, he argues, is due to loss of representation in Congress by several Southern states following the 1950 census, and the addition of Hawaii and Alaska as states.

Instead of retaining the bonus system, which has included added votes for winning the states for Presidential, gubernatorial and Congressional candidates during the past two conventions, Butler declared that the bonus system had proved inequitable; and that for the 1960 convention, at least, a strict adherence to the specified Congressional apportionment formula should be carried out.

Under his proposal, each state would have six votes for their two Senators, instead of four at present; two and one-half votes for each member of the House of Representatives instead of two at present; and an added one-half vote for each of the two members of the National Committee.

"I know that no formula which can be devised would be considered fair and equitable to all states," Butler declared. "It is regrettable that any state should suffer a reduction in the number of its delegates and alternates, but existing inequities should be eliminated."

Future Study.

Butler also said that he will ask the national convention to establish a special committee to consider the whole question of vote apportionment for the future during the period between the 1960 and 1964 conventions, in the hope that a permanent system can be adopted.

Butler's proposal will be submitted to the meeting of the National Committee to be held here Wednesday, and is certain to develop vigorous discussion, to say the least, by committeemen from the states slated to lose votes, and perhaps a protest from the South as a whole.

Other Southern states which would gain under the plan are Alabama, four votes; Louisiana, three; Texas, six; and South Carolina, two.

Other Southern states which would lose are Arkansas, four; Florida, one; Kentucky, three; Tennessee, two.

Votes of Georgia, Mississippi and Virginia would remain the same.

326 NEGRO DEMOCRATS GIVE $1,000.00 EACH TO 750 CLUB

Washington, D. C. — Harvey Johnson, attorney of Cleveland, Ohio, was one of the first 100 Negroes to join the 750 Club at the Democratic Party's public relations conference during July. Each member of the club which now has a membership of 326 members, has donated $1,000 each.

Aside from membership in the 750 Club, more than 1,000 Negroes throughout the United States gave $1,000 each to the National Democratic Party to help pay off the party's deficit. Each member who donated $1,000 is entitled to two tickets to the party's national convention, which will be held in Los Angeles in 1960.

My Pals

Senator Humphrey of Minnesota, devil to Dixie, says he will campaign in Dixie and do so confident that he will win support. This he believes because he has read the Southern mind and it likes a candidate "who can speak up."

Humphrey spoke up in the 1948 Democratic Convention on adoption of the civil rights plank. In fact, he spoke in such fashion that the occasion accounts for the fact that he now has the stature to run for President.

However, the reason *The Advertiser* believes that Humphrey would make a very fine brass lamp is not this willingness to go South. As a matter of fact, the South is a good place for such a candidate to work out.

Humphrey probably expects little if any Southern support. But if he comes South and makes a face-to-face demand for a bigger and better civil rights onslaught on the South, he becomes a Normandy hero of other regions. As for the election, he correctly supposes that most of the South will vote the ticket anyhow.

We are probably approaching the time when a Democratic candidate must win his spurs by making a bristling civil rights speech in the heart of Dixie. Adlai established the mode in Richmond and New Orleans in 1956.

AT DEMOCRATIC CONVENTION

Butler Asks Scrapping Of Bonus Vote System

Chicago Tribune Press Service

WASHINGTON, Sept. 12—Democratic chairman Paul Butler today proposed to scrap the established system of bonus votes at the 1960 Democratic convention and urged adoption of a "common sense" system of allocating state votes.

The suggestion, which is expected to bring more verbal shooting from Southern leaders with whom Butler is feuding, was suggested in a letter to members of the Democratic National Committee.

Butler is currently engaged in a feud with a powerful Northern leader as well as with most Southern party leaders. He charged last night that Gov. David L. Lawrence of Pennsylvania has joined Southern Democrats in trying to unseat him as party chairman. Butler said school integration is involved.

In Harrisburg, Pa., Lawrence said it was "ridiculous to suggest that I share the views of these segregationists." Lawrence said that Butler had associated himself with the segregationists when he was seeking the party chairmanship.

Showdown Looms

The battle between Butler and Lawrence could reach a showdown when the committee meets here Wednesday. Butler has become embroiled openly with congressional leaders as well as political leaders. Many party leaders believe he should have done his intra-party feuding behind closed doors.

Democrats began giving bonus votes to state delegations in 1944. Extra votes were given to states whose electoral votes were cast for the Democratic presidential candidate in any presidential election. Later bonuses were piled on bonuses.

Butler proposed a plan under which 28 of the states and other voting areas would get more votes than in 1956, 15 would lose some and 7 would hold their own. The total of convention votes would be increased from 1,372 to 1,475.

Hits Bonus System

"The bonus system is not fair or equitable," Butler wrote committee members. "It invariably results in inequities for the medium and larger states."

He asked allocation of votes on this formula:

Increase the number of votes for each U.S. senator from two to three.

Increase the number of votes for each House member from two to two and a half.

Make members of the national committee ex-officio delegates to the convention, with a half-vote each, not charged to the state's basic number of votes.

"I know that no formula which can be devised would be considered to be fair and equitable for all states," Butler said. "It is regrettable that any state should suffer a reduction of the number of its delegates and alternates, but existing inequities should be eliminated."

Gain for South

The Southern states, whose leaders have been frequently at odds with Butler, would do rather well under the change. Of the solid South states, only Arkansas, Florida and Tennessee would lose votes. Some border states would lose several.

But none of the so-called "states' rights" states which bolted the presidential ticket in 1948 in protest against a civil rights plank would be penalized under Butler's proposal. These were South Carolina, Louisiana, Mississippi and Alabama.

Florida, with a basic number of 20 delegates, a bonus of 8 and a total of 28 in the 1956 convention, would be cut to 27 delegates. Georgia, with a basic 24, a bonus of 8 and a total of 32 in 1956 would have the same number. Arkansas would lose four votes, dropping from 26 to 22 and Tennessee would drop from 32 to 30.

Alabama Gains

Alabama would gain four, going to 30, Louisiana would go from 24 to 27, Mississippi would remain at 22, North Carolina would rise from 36 to 37; South Carolina from 20 to 22 and Virginia would remain at 32.

Butler's current troubles with the South hinges on his determination to impose a party loyalty rule on all convention delegates requiring them to support whatever presidential ticket is chosen. Use of the rule caused a party split in 1952 but party leaders believe the present dispute will be settled amicably.

Party Cut Off Negro Vote 71 Yrs

RICHMOND, Texas—The Jaybird Party, formerly known as the Jaybird Democratic Association of Fort Bend County, recognizing that its usefulness was over, voted last week to suspend all activities of the party indefinitely. It was the Jaybird Party that kept Negroes from an effective vote in Fort Bend County for most of its 71 years of existence.

The scheme was to keep the Jaybird Party a "private organization for citizens," which had the right to choose its members and fix its rules. They chose their candidates for office in this "private party," and then the candidates entered the regular Democratic primary. Since the Jaybird Party comprised practially all of the white people, candidates were assured of victory when they entered the regular Democratic primary.

Using this scheme, the Jaybird Party stifled the Negro vote in Fort Bend County, even after the Supreme Court knocked out the clause excluding Negroes from the regular primary in Texas. Negroes in Fort Bend County had to bring an additional suit, and wait nine years before getting their real right to vote in the Democratic primary in that county.

WITHOUT PURPOSE

One of the chief reasons for the existence of the Jaybird Party was to keep Negroes out of the primary. Another reason was to enforce the two term rule, which meant that a candidate could only have two two-year tearms according to the Jaybird rule.

In recent years the Legislature extended the term of county officials of four years, which again knocked the props from under the purpose of the Jaybird Party's existence.

Willie Melton, the only Negro who was a member of the Jaybird board, after the Supreme Court's decision, forcing the Jaybirds to let Negroes in their primary, told them, when they debated whether to disband the party, after the Supreme Court's decision, that he thought the usefulness was served and that they should disband. But many of the old timers just could not give it up.

Finally, they voted to disband it on the very ground that Willie Melton had brought up at the first meeting, when they were discussing whether to continue it, after the Supreme Court's decision.

Kennedy On Myrdal Decision

SENATOR KENNEDY, active candidate for the Democratic nomination for President, is quoted as saying with regard to the Supreme Court's anti-segregation decision: "All this was decided in 1954 by the Supreme Court. There is no question about it, nor should there be."

Candidates for the presidency who seek to brush off the Supreme Court's Myrdal decision in this fashion are either playing politics, or they do not know that the decision was a revolutionary pronouncement in which the court instead of Congress decided to become lawmaker instead of law interpreter.

Anybody who thinks everything was settled by that decision and that there " should be no question about it" is ignoring the sentiments of millions of the American people including millions in the North, and even in Massachusetts, where devotion to states rights is evidenced in many ways.

The decision of the Supreme Court was not the last word on the subject, "nor should it be."

Negro Boycott Of Democratic Meet Warned

LITTLE ROCK, Ark. (AP) — The chairman of a Democratic party harmony dinner, scheduled here next Friday, declined comment Saturday on a threat by Negro leaders to boycott the affair if it is segregated.

"All I have to say is that Negroes always have attended these dinners," said Gus Camp of Piggott, Ark.

I. S. McClinton of Little Rock, president of the Arkansas Democratic (Negro) Voters Assn., said he could not attend the dinner if seating was segregated. He earlier had agreed to go and to furnish names of other Negro leaders to be invited. McClinton said Saturday he didn't know what plans the other Negroes now had.

Camp said he expected about 5,000 persons to attend the $10-a-plate affair. Speakers will include Sen. Stuart Symington (D-Mo) presidential hopeful, and house speaker Sam Rayburn (D-Tex).

Mrs. Dorothy Vredenburgh of Birmingham, Ala., secretary of the Democratic National Committee, will be a guest.

Rev. Roland A. Smith, Negro pastor of Little Rock, has criticized the Negroes who at first accepted invitations to the dinner.

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DEMOCRATIC

DEMOCRATIC NATIONAL CHAIRMAN
(PAUL BUTLER)

Butler, Feuding Demos Threaten To Split Party

EDITOR'S NOTE—Do voters prefer performance to attempts to fulfil promises? Differing opinion on this basic question has split Democratic leadership from its helm to the halls of Congress. Here is what the party is doing to effect unity.

By JACK BELL

WASHINGTON (AP) — With the presidency as its shimmering goal, a bitter struggle for control is threatening to burst the patched-up seams of the Democratic party.

By mutual consent, the principals in this internecine warfare have transferred to the backrooms their continuing battle over the type of philosophy the party shall present to the voters in its efforts to recapture the White House in 1960.

Under the terms of a truce arrived at between them, there will be no more public criticism—at least for a while — by National Chairman Paul M. Butler against the middle-of-the-road course taken by the party's congressional leaders.

As they always intended to do in any event, Speaker of the House Sam Rayburn (D-Tex) and Senate Majority Leader Lyndon B. Johnson of Texas will continue to proceed on the theory that it is better to write compromise legislation than none at all.

BUTLER'S VIEWS

Butler, on the other hand, believes the Democrats with their overwhelming control of both houses, should pass legislation carrying out their 1956 and 1958 campaign pledges, even if it is killed by President Eisenhower's veto.

This fundamental difference of opinion has strained party unity to the breaking point. Along with other differences, it could split the 1960 convention wide open.

Butler believes the promise of future enactment of liberal legislation will attract the voters next year. He is working toward the selection of a liberal as the party's presidential nominee.

Rayburn and Johnson believe the voters react to party accomplishments, not promises. Neither will stray far from the middle of the road.

To back their judgment on this score, the two leaders point to the fact that the Democrats have won three successive congressional elections. Butler replies, in effect, maybe so, but regaining the presidency is a different matter.

Their differences are aptly illustrated by the party's sorest problem, civil rights. For all practical purposes, Butler has told the South to go fry its sidemeat. He wants the Democrats, as a party, to stand up and be counted in favor of racial integration in the schools and other public places.

When President Eisenhower said that segregation in the economic and political fields is **morally wrong,** Butler capped this with: "Segregation is morally wrong, period."

Johnson and Rayburn want Congress to pass a moderate civil rights bill they think will take some of the heat off the issue next year. The less specific the Democrats get about civil rights in the 1960 platform, the better Johnson and Rayburn will like it.

Generally speaking, the old pros of the party are on the Johnson-Rayburn side. Despite some criticism of their course, they have almost solid backing from the Democrats in Congress.

LIBERALS' SUPPORT

Butler has the support of the party's liberals, including Eleanor Roosevelt, and a majority of the national committee. He has control of the machinery which will put the convention in operation, including the choice of the permanent chairman, subject to convention approval.

At this point, Butler is looked upon as something of a busybody by a sizable contingent of the party's members of Congress. They are inclined to measure any man's political capacity by the yardstick of his ability to get elected to public office, and Butler has had no experience in this field.

When there were Democratic Presidents in the White House, the national chairmanship spelled political patronage and relatively easy access to the chief executive. Butler has no patronage to offer. He has no presidential ear into which he can pour the troubles of individual members of Congress.

LITTLE TO OFFER

Because of this situation, Butler has little to offer his party's lawmakers. Even the funds for their election campaigns come through Senate and House committees, although the money may have been raised originally by the National Finance Committee the chairman named.

Into his somewhat thankless job, Butler has poured a great deal of energy. He works on a fulltime basis for $25,000 a year salary, plus an expense account. He goes everywhere, speaks everywhere. His thinly thatched gray head and sharp handsome features are familiar on the nation's television screens.

Butler never seems to hesitate in the face of controversy. In fact, he seems to invite it. As a Catholic, he has said that being a member of that church — as Sen. John F. Kennedy (D-Mass) is — remains a political handicap.

To some he seems to have gone out of the way to aim a blow at Johnson's possible presidential ambitions by voicing the opinion that no Southerner or Southwesterner can win the 1960 nomination.

Just how much influence he is going to have in steering the 1960 convention toward the nomination of a liberal remains to be seen. In preparation, Butler has taken on to himself most of the command positions within the party organization.

He will name the convention arrangements committee some time before a mid-September meeting of the National Committee. The arrangements group will take care not only of the physical setup but will decide on the convention officers and speakers.

If Butler listens to one of his close friends, National Committeeman Paul Ziffren of California, he will try to oust the congressional heirarchy that has dominated these conventions in the past.

DRASTIC MEASURES

This would involve shunting aside Rayburn as permanent chairman and the selection of a young Democratic governor—perhaps such a man as Gov. Stephen L. R. McNichols of Colorado—as keynoter. It would involve also the replacement of Rep. John W. McCormack of Massachusetts, the House Majority Leader, as chairman of the platform committee.

McCormack has no hankering to take on the grinding platform task again. Probably, if left alone, Rayburn would have been glad to yield the convention gavel to younger hands.

But Rayburn is no man to be pushed around. The genial, baldheaded Speaker can get a mite grumpy about such shenanigans As an old pro who has seen them come and go, the odds would have to be on him if he felt it necessary to take out after Butler on any convention matter.

As permanent chairman, Rayburn has proved in the past that the power to recognize the delegate he chooses and to gavel down those he doesn't want the convention to hear at that particular moment can influence the outcome of the nomination battle.

REPLACE POWER

Butler would like to have that power placed in hands more friendly to his viewpoint than Rayburn is likely to be. But if he tries to disqualify Rayburn on the ground that the Speaker is a supporter of Johnson for the nomination, the feathers may fly.

On the other hand, Butler remains relatively secure in his chairmanship despite his criticisms of the leadership tactics of Rayburn and Johnson. With the exception of Sen. Theodore F. Green (D-RI) and Rep. Edna F. Kelly (D-NY), congressional Democrats have no votes on the 108 member national committee.

Committee members are chosen by four different methods—by state primaries, state conventions, state delegations to the national convention, and state committees. They are certified to the national convention for ratification.

Butler has been cultivating the committee members for years.

Presidential nominees pick their own national chairmen, and unless Butler guesses right he will be out. And any national chairman who is obviously marked for retirement will have difficulty in influencing the course of his party's convention.

led by oilman Edward W. Pauley, demands 5000.

United Press International

Butler Stands Pat

Democratic National Chairman Paul Butler arrived in Los Angeles yesterday ready to "meet with anyone who can contribute to keeping the 1960 Democratic Presidential Convention in this city." He is in conflict with the host committee on the number of tickets to be issued to them. Butler wants to give the Los Angeles group 1500. The group,

News in brief—

Butler wins again... L. A. keeps convention

News
Bham, Ala. 7/9
Lwa. 8-18-59

BY THE ASSOCIATED PRESS

THE RUCKUS OVER TICKETS has ended in a complete victory for Democratic National Chairman Paul Butler—and Los Angeles will keep the 1960 party convention.

Butler threw the prestige of his office into a showdown over seating with wealthy Oilman Edwin C. Pauley. The dispute almost cost L.A. its first major political convention.

PAUL BUTLER

Pauley bowed out yesterday as finance chairman of the host committee and the old committee was disbanded.

Pauley had insisted the committee was promised 5000 tickets a day to the July convention in return for its $350,000 guarantee to the national committee. He later offered to compromise and accept 3133. Butler refused him on both counts.

A NEW SPONSORING group was formed. It agreed to underwrite the guarantee and accept Butler's top ticket offer — 1500 tickets a day. Butler had threatened to pull the convention out of Los Angeles unless his terms were met.

The new group also agreed to another key Butler demand, opposed by Pauley: Transfer of all advertising revenue from the convention program to the Democratic National Committee.

The old committee was disbanded and replaced with one headed by Republican Mayor Norris Poulson as chairman and Dan A. Kimball, president of Aerojet General Corp., as executive chairman. Kimball was secretary of the navy under former President Harry S. Truman.

Mark Boyar, wealthy real estate developer and financial chairman of the Democratic National Committee in Southern California, replaced Pauley.

Butler Seeks to Bar Georgia's Delegates

Atlanta Constitution
Atlanta, Ga. 3-4-59

National Democratic Chairman Paul Butler plans to push for rules which conceivably could bar some state delegations, including Georgia's—from being seated at the 1960 presidential nominating convention.

A spokesman at Democratic headquarters in Washington, D.C., said Tuesday night that Butler will ask the Democratic National Committee to readopt a 1956 rule barring any state which omits the names of party nominees from its ballot or which elects uninstructed electors.

The Georgia Legislature adopted in 1958 a bill which in effect could allow the bypassing of Georgia's vote for president and vice president. The bill opens the way for Georgia to take exactly the action that Butler seeks to have outlawed.

John Sammons Bell, state Democratic Party chairman, promptly blasted Butler's plans to push for a rule designed to replace the Democrats' old "loyalty oath."

Butler should "keep his mouth shut," Bell declared.

That's "all the Democratic Party needs to assure its nominee an easy four-year sojourn in the White House," said the Georgian, who has joined other Southerners in past demands that Butler resign.

The Atlanta Constitution
Atlanta, Ga.

Bell said Butler "seems determined on only one course—to keep his job or wreck the party."

"As for me, with that choice, I prefer not to wreck the party," said Bell.

The 1958 bill also sets up a board of election commissioners composed of the governor, the secretary of state and the attorney general.

Gov. Vandiver was not available for comment Tuesday night. Both Atty. Gen Cook and Secretary of State Fortson indicated that no definite course of action has been decided for Georgia's delegation to the 1960 convention.

Declaring that Butler "has got too big for his breeches," Alabama's Gov. Patterson said, "This is just another of his tricks to deprive the people of the South of our right to a voice in the affairs of our party."

BUTLER TO ASK '56 RULE AGAIN

Observer
Raleigh, N. C.

Democratic Party Head Says He Aims to Lessen Dixie Revolt Chances

WASHINGTON (AP) — Chairman Paul M. Butler has notified Democratic National Committee members in writing that he will ask the committee to readopt a 1956 rule to lessen chances of any Dixie revolt at the party's 1960 convention.

3-4-59

The committee made public here Thursday three resolutions Butler will ask the 108 members to approve at a meeting here Sept. 16.

One deals with the good faith of convention delegates. It is the most controversial despite its unanimous acceptance by the committee and convention in 1956.

Was Compromise.

The 1956 rule, approved in a North-South compromise as a substitute for a more strongly worded loyalty oath, conceivably could bar from the convention next year delegations from any state omitting names of party nominees from its ballot or electing unpledged electors.

When a committee spokesman said recently that Butler would ask the committee to recommend the same 1956 rule to the 1960 convention, many Southerners demanded Butler's ouster or resignation.

Butler said then, and now repeats in his letter to the committee members, that there is nothing new in the rule he wants readopted. It is the same language, he said, that was originally worked out by Stephen A. Mitchell, former Democratic chairman; John S. Battle, former governor of Virginia; Sen. Hubert H. Humphrey (D-Minn) and others who were members of an advisory committee for the 1956 convention.

The rule implies that a convention delegation may be challenged if its state fails to assure its voters an opportunity to vote for the convention nominees under the regular party label, and for electors pledged formally or in good conscience to the Democratic candidates.

Butler promised to send to committee members soon another proposed resolution dealing with apportionment of delegates to the 1960 convention.

NATIONAL DEMOCRATIC PARTY CHAIRMAN, PAUL M. BUTLER

34d 1959

DEMOCRATIC

Butler Renews Attack On Democrat Leaders, Savs He Won't Resign

Commercial Appeal P. 1

Jibes Tempered

Party Chairman Also Sees Strong Record For Current Congress

Memphis Tenn.

By RAYMOND LAHR
United Press International Staff

WASHINGTON, July 11. — Democratic National Chairman Paul Butler lashed out with new attacks on congressional party leaders Saturday in the face of demands that he work for unity or quit.

Butler reiterated that Democratic leaders in the House and Senate were too willing to compromise with Republicans and were proceeding too cautiously.

While standing pat on his criticism, Butler tempered his remarks with a prediction that the Democratic-controlled Congress would make a strong record by the time it winds up its work in 1960.

He complained that a similar prediction was ignored in news accounts of his television interview last Sunday when he shocked much of the Democratic hierarchy by asserting in effect that Senate Democratic leader Lyndon Johnson and Speaker Sam Rayburn had abandoned the party's "progressive" legislative program.

Attack Back-Fired

The attack produced a backfire in which many Democrats demanded Butler resign or be ousted.

Butler said he had no intention of quitting until he knows a majority of the national committee wants him to resign. He said he had received messages from 12 or 14 national committee members, all of whom endorsed his position except Senator Theodore Francis Green (D., R. I.).

Green called on Butler to work for party unity and to stop sniping at Johnson and Rayburn.

Butler amplified his views Saturday at the close of a two day "party relation conference" attended by about 100 Democrats from 24 states. About 70 of the group were Negroes.

The newest attack on Butler himself came from Senator John Sparkman (D., Ala.). The 1952 Democratic vice presidential candidate charged him with betraying his duty.

Butler Applauded

The conference Saturday applauded Butler for his stand in urging the Democratic leadership to support the party's platform policies and programs. "A Democratic victory in 1960 requires action in Congress now," said a resolution adopted by the conference.

Butler told reporters he would not say he had attacked the Democratic leaders in Congress. But he did say that neither the leadership of the party organization nor the leadership in Congress "should be above constructive criticism."

He said he was reporting on complaints heard from Democrats around the country that Congress was not moving with sufficient speed and was inclined to adjust its program to satisfy the Republican Administration. The people think the Democrats are "on the defensive, not on the offensive," he said.

Butler Gave Segregation Vow in '54

Constitution Atlanta, Ga. Sat, 7-11-59

National Democratic Party Chairman Paul M. Butler gave Georgia Democrats a written pledge in 1954 in which he said segregation should not be made a national political issue. The Constitution learned Friday.

State Party Chairman John Sammons Bell has in his possession the envelope on the back of which Butler wrote the pledge.

CONTACT LAWMAKERS

The Constitution's Washington correspondent Friday contacted Rep. Iris Blitch, of Homerville, one of the Georgians who supported Butler for the party chairmanship in New Orleans.

She said Butler assured Southern delegates "he would give us a square deal." She said she saw him write the pledge and give it to Bell, who at the time had just been named chairman of the Georgia Democratic Executive Committee.

Bell would neither confirm nor deny the existence of the Butler pledge.

'NO COMMENT'

"I have no comment to make at this time concerning the subject matter of Congresswoman Blitch's assertions," he said.

Presumably, the scrap of paper could be a potent weapon in the hands of Southern and other Democrats, to be used in retaliation for Butler's strongly anti-Southern, pro-integration remarks.

Constitution Atlanta, Ga. 7-11-59

It was learned that Butler, then seeking the party chairmanship, gave the pledge to members of the Georgia delegation in New Orleans in 1954 to assure them they would have nothing to fear from him.

At the time he was struggling against Ohio's Mike Disalle for the chairmanship.

Butler was being questioned privately by Georgians about his views on the hot topic of segregation. He assured them he didn't think the question should become a national issue and that if he were party chairman he would do nothing to make it so.

He also said civil rights shouldn't become an issue because it might split the party.

The Georgians asked him if he would put it in writing.

He did, on the back of the envelope which now rests in Bell's keeping in Atlanta.

Since then Butler has become an outspoken advocate of a strong Democratic civil rights legislative program and has voiced the opinion that if Southerners didn't like it, they ought to get out of the party.

Butler also told Georgians in New Orleans he had not sought the advice and counsel of ardent liberals G. Mennen (Soapy) Williams and Hubert Humphry on party policies. He also put that in writing.

Butler recently has attacked the Democratic leadership and Southern committee chairmen in Congress and has been accused of trying to shove the South out of the Democratic Party.

Butler's criticism of the Democratic congressional leadership —aimed at Senate Majority Leader Lyndon Johnson and House Speaker Sam Rayburn, both of Texas—has brought a return fire of criticism on his own head from Democrats on Capitol Hill.

Democrats from other parts of the nation as well as from the South have called for Butler's scalp, accusing him of sabotaging his own party and giving aid and comfort to the Republicans for 1960.

Mrs. Blitch said she understands a move may be made at the next meeting of the Democratic National Committee next September to replace Butler with Matthew McCloskey of Pennsylvania.

"I think Butler's days are numbered as national chairman," she said.

Mrs. Blitch criticized Butler not only for his anti-Southern statements but also for appointing a Democratic Advisory Council "responsible to no one." She said this council has done more harm than good.

"The party writes its record in Congress and the national committee controls the organizational structure," she added. Butler, she declared, has become a captive of the vocal minority group, the Americans for Democratic Action, often branded as left-wing liberals who support big-government spending and strong civil rights legislation.

SAYS SUCCESSOR PICKED

Butler Claims Ouster Plan Causes Demo 'Noise, Fury'

Montgomery, Ala. P. 1

Advertiser

WASHINGTON (AP) — Democratic National Chairman Paul Butler said Sunday "the noise and the fury" swirling about him stems in large part from a move to oust him and gain congressional domination of the 1960 Democratic convention.

Mont. 7-13-59

Democrats on Capitol Hill who are seeking to do this, Butler said, want to replace him with a member of Congress.

He added there were reports that a Western senator had already been agreed upon as his successor. But Butler declined to name the senator.

Butler said he believes quite strongly that the Democratic National Committee "is not about to elect a member of the Senate or House as chairman." And, he said, "I don't believe anybody who would desire to see me ousted is going to accomplish it."

Butler once again contended the Democratic leaders in Congress are moving too slowly toward what he calls a "positive and aggressive" legislative program. Again he insisted this was not meant as a criticism of such leaders as Senate Democratic Leader Lyndon B. Johnson of Texas and House Speaker Sam Rayburn (D-Tex).

He had asserted on a TV show a week ago that unless the leadership moved more in the direction he suggested the Democrats would be in trouble in 1960. That brought the noise and fury down on Butler's head. Some Democrats in Congress sharply rebuked him and there were some demands he resign.

One of those who most severely criticized Butler was Sen. Mike Mansfield, assistant Democratic leader of the Senate. Asked to comment on Butler's remarks Sunday, Mansfield, a Westerner from Montana, told a reporter he knew of no move to replace Butler with a Westerner.

"I would like to see Butler stay on and do just a little bit better job than he has been doing," Mansfield said.

P. 2-A

Butler told his TV interviewers he could not agree with Sen. Henry M. Jackson (D-Wash) that Butler should not have aired his complaints publicly. He said it would be a sad day when the leaders in Congress and in the executive branch are above criticism.

"I feel a sense of obligation to the party to speak out for what I feel to be the majority point of view" Butler said. "So long as I am privileged to be chairman I am not going to withdraw from that position.

"I will not engage in any day-to-day fight with any leaders of our party or try to embarrass anybody who has responsibility in our party or in government. But I will continue to do what I think the rank-and-file members of our party expect me to do."

He said public reaction to his stand had been strongly in favor of him. Butler said several members of the Democratic National Committee gave him their views on the controversy and "only two expressed dissatisfaction with the position I took last Sunday."

The two who disagreed with him, Butler said, were Sen. Theodore Francis Green (D-RI) and Byron Skelton of Temple, Tex., national committeeman from Texas.

Another Call Sounds For Butler's Exit

ST. LOUIS (AP)—Mark R. Holloran, Democratic national committeeman of Missouri, said Sunday he thinks Democratic National Chairman Paul Butler should resign for the good of the party.

Butler recently has been sharply critical of Democratic leadership in Congress. He claims the Democratic controlled Congress is moving too slowly toward "positive and aggressive legislation."

Said Butler:

"We can't win the 1960 elections if we ape the Republican party."

This criticism stirred up an intra-party dispute.

Holloran of St. Louis said "I think Butler is wrong and is stirring up a lot of unnecessary trouble.

"There is something behind his action. Maybe he is working with some candidate for the Democratic presidential nomination to take some control away from the Southerners."

Holloran said he would vote for a resolution asking Butler's resignation if "the motion were not tied with something else."

The St. Louisan praised the efforts of Senate Leader Lyndon B. Johnson and House Speaker Sam Rayburn, both of Texas. "They have made a commendable record and are working in the best interests of the whole country."

vote," and said he was "exploring the possibility of working out some sort of compromise on the housing bill."

The idea of a special session also was opposed by Senator Barry Goldwater of Arizona, chairman of the Republican Senatorial Campaign Committee. He said it was "a bad idea." He remarked that "there is no earthly reason, if we follow a sensible course of action, why we can't get out of here by Sept. 1 and get everything done we need to do."

Senator Styles Bridges of New Hampshire, chairman of the Senate Republican Policy Committee, said there was "talk of staying until perhaps the middle of September" because "it's no secret around here that with four or more Democratic candidates for President in the Senate, they'd like to stay long enough to get a civil rights bill out of the way this year and not have that problem coming up just before the 1960 convention."

Senator Mike Mansfield of Montana, the Democratic whip, said the President's idea of using a special session to get more foreign aid money would only get him less.

What Butler Is Up To . . .

By Roscoe Drummond

Control of Convention by Liberals Apparent Goal

YOU CAN'T pick up a newspaper these days or trudge down a shadowed corridor on Capitol Hill without running into a Democratic feud; a real big, full-sized, intra-party feud, not just a little, petty, personal feud.

Drummond

Democratic National Chairman Paul Butler throws a headline at Democratic Senate Leader Lyndon Johnson and vice versa.

Mr. Butler criticizes the Southern Democratic conservatives and the Northern Democratic moderates and condemns his party in Congress for not piling up enough Eisenhower-opposed spending bills to give the Democrats ammunition for the 1960 election—lots of vetoes and lots of issues.

Sen. Johnson dismisses Chairman Butler's advice to the Democratic Party as about as useful as Republican Chairman Thruston Morton's—and about as friendly.

The Democratic Advisory Council, which is made up of big-name non-congressional Democrats like Mr. Truman, Adlai Stevenson, Averell Harriman, etc.—used to devote itself to criticizing the Eisenhower Administration but is now criticizing the Democratic leadership of Congress for not accepting its advice and counsel any more than the President.

And the Republicans do their best to look only moderately happy and keep out of the line of fire lest they distract a barrage in their direction.

WHAT IS Chairman Butler really after in attacking the congressional leaders of his own party? My answer would be this:

Mr. Butler is just as sincerely dedicated to the welfare of the Democratic Party as Harry Truman or Lyndon Johnson or Sen. Richard Russell. His view of what is good government and good politics and good strategy for 1960 is just radically different from Lyndon Johnson's. He believes that the polical climate of the country is much farther to the "left" than does Sen. Johnson. He wants to see this Democratic Congress build a record of "issues" by enacting a whole series of bills which, even if vetoed, would show the country what it could have during the next four years if it would elect both a Democratic President and a Democratic Congress.

Clearly the Democratic congressional leaders and the majority of Democratic members of Congress do not share Chairman Butler's estimate of public opinion. They believe that the 1960 Democratic candidates, congressional and presidential, will be better off next year if the Democratic 86th Congress gives the country all the moderate legislation and all the moderate, budget-balanced spending which is enactable rather than three times as much which would end up being vetoed and unenactable.

On top of this is the fact, as Walter Lippmann has been stressing, that this 86th Democratic Congress while elected during a recession, is legislating during a period of high prosperity. This means there is no justification for an unbalanced budget. If larger expenditures are voted they can only be justified by increased revenue.

MR. BUTLER must feel that his maneuvers will help put the 1960 convention in control of Democratic liberals and insure a platform and a nominee so acceptable to the liberals that they would almost certainly be unacceptable to the more conservative Democrats.

He must also feel, I think, that his party ought not to nominate any of its leading Senators. At least, it seems to me this is the effect of what he is doing and saying. Sen. John Kennedy, Sen. Hubert Humphrey, Sen. Stuart Symington are not criticizing Sen. Johnson's leadership, they are supporting it. If Mr. Butler thinks the country will repudiate Mr. Johnson's legislative record-in-the-making, he must also think it will repudiate the record which Kennedy and Humphrey and Symington—all Democratic presidential hopefuls—are helping to write.

I'm sure he would shrink from the idea, but I wonder if Mr. Butler isn't strengthening the case for Lyndon Johnson's own nomination for the Presidency? I am not advocating it, but I am saying that it is eminently logical: A Johnson nomination based on a Johnson legislative record.

3 SENATORS JOIN BUTLER'S CRITICS

Green, Holland and Young Rebuke Chairman—He Again Assails Chiefs

By ALLEN DRURY

Special to The New York Times.

WASHINGTON, July 9—Paul M. Butler, Democratic National Chairman, issued another statement today implicitly assailing his party's Congressional leaders for bowing to President Eisenhower's wishes on legislation in an attempt to avoid vetoes.

And his opponents in the Democrats' wordy war, Lyndon B. Johnson of Texas, the Senate leader, and Sam Rayburn of Texas, the House speaker, won declarations of support from a Southern Democratic conservative, Senator Spessard L. Holland of Florida, and two Northern Democratic liberals, Senator Theodore Francis Green of Rhode Island and Senator Stephen M. Young of Ohio.

Senator Johnson, refusing to enter the battle himself, concentrated his fire today on a standard political target for Democrats—the Republican President.

He chided President Eisenhower for "the trial balloon being floated for a special session" of Congress, and demanded that somebody "lay down a few ground rules" as to just what the Administration wanted.

The support of Senators Green and Johnson and Speaker Rayburn was regarded on Capitol Hill as a particularly significant development in the running feud. It was the first expression of support from the ranks of the long-time pillars of the Democratic party. Senator Green, 91 years old, was active in Democratic politics long before Mr. Butler was old enough to vote.

Senator Green's statement, couched in the form of a sharply chiding letter to Mr. Butler, was considered to be a warning to the chairman that he might run into serious trouble if he continued to use his office as "a gun-pit' to snipe at fellow Democrats.

Senator Green told Mr. Butler he had been prompted to write by the chairman's attack on the Johnson-Rayburn record delivered on a television program last week-end. He said this was "most unusual" and "completely without precedent." After a lengthy review of the bills passed by the current session, Senator Green commented that Democratic members of the Senate and the House "are confronted with a dilemma."

"They are finding themselves attacked," he said, "not from without by Republicans but from within by a fellow Democrat and one standing high in the party organization.'

Cites Own Long Service

The Senator reminded Mr. Butler that his own service in the party "goes back many decades."

"During this time," he said, "I have known many Senators who renounced our party and joined another one and I have known Governors who even campaigned against candidates of their own and our party. None of these acts have met with the favor of men of party loyalty. But this is the first time in history, so far as I know, that a National Committee chairman has opened fire on Senators of his own party; on the committee chairmen of his party in the Congress; and so in fact upon all Democratic members of both Houses of the Congress.'

Senator Green said he "simply did not believe" the "excuse" that it would help Democratic candidates in the next Congressional election to be confronted by their Republican opponents with such statements by the Democratic National Chairman."

Holland Reads Letter

Senator Holland read to the Senate a letter written to Mr. Butler by John C. Davis, Democratic chairman of Dade County, Fla. Mr. Davis told Mr. Butler that "more harm" was done by Mr. Butler's "type of innuendo" than by any major legislation.

Senator Holland said he agreed. He said Mr. Butler was 'apparently trying to break up the party." He asserted that "great harm is being done" by his statements.

Senator Young said he was in "hearty 100 per cent accord" with Senator Holland's criticism. He praised the "great progressive leadership" of Senator Johnson and Speaker Rayburn.

Mr. Butler's latest statement urged the Democrats in Congress to "put the onus on Eisenhower" instead of trying to modify national programs to suit the President's wishes.

Cites Housing Measure

He said the Democrats had tried to meet the President's ideas on housing legislation, only to have a housing bill vetoed earlier this week.

"The veto presaged similar treatment of other legislation for the common good, even when voted overwhelmingly by Congress, unless it follows Eisenhower to the letter," Mr. Butler said.

Senator Johnson, in common with other Democrats and several Republicans as well, denounced the idea of a possible special session in the fall. Such a move was hinted yesterday by the President as a possible move if Congress cut foreign aid too deeply.

Senator Johnson said the Democrats had become "somewhat philosophical" about the situation.

"On Tuesday," Senator Johnson said, "we have a veto of a bill [housing] on the grounds that it would authorize excessive spending. On Wednesday, we are told that we might be called back in special session if we don't spend enough. It would be helpful if somebody would just lay down a few ground rules for this course."

Housing Renewal Seen

Senator Johnson said later in a television interview with Senator George A. Smathers, Democrat of Florida, that he expected the Senate to try to override the housing veto. He predicted it would be "a close

34d 1959

DEMOCRATIC MR. PAUL BUTLER

Butler Threat Arouses South

Democratic Chairman Gets Prompt Accommodations In Party Doghouse

By A. L. KUETTNER
United Press International Staff

ATLANTA, Nov. 18. — Paul Butler, the landlord of the 1960 Democratic National Convention, has got himself in the doghouse with his threat to put dues-delinquent states in cheap lodgings at Los Angeles.

Mr. Butler, who wasn't too popular in the South anyway, became further estranged from Dixie party stalwarts with his warning to the states that they must pay up their campaign quotas or face assignment to poor seats and second-class hotel accommodations.

Others Are Delinquent

The party chairman was not just aiming at the Southern states, for 30 of the 50 states are behind on their quotas. But the South seems to have yelled the loudest, perhaps because of old feuds with Mr. Butler over civil rights and other liberal issues.

"We'll take our bedrolls to Los Angeles before we'll pay Butler one cent," bellowed Sam Engelhardt, the Democratic chairman in Alabama.

Alabama Gov. John Patterson said it is his personal feeling that the state should withhold its $25,000 party fund quota until Mr. Butler resigns or is removed.

John Sammons Bell, the Georgia chairman, also is in favor of holding out on the party his state's $27,000 quota until Mr. Butler is out.

Tennessean Fears Stoppage

Tennessee Secretary of State Joe Carr said $39,308 of the state's $74,000 quota for 1957-59 has been paid. He feared that the furore over Mr. Butler's remarks would cause some of the states to stop paying into the 1960 fund.

Virginia was taking the position of pay up and get those good rooms. National committeeman G. Fred Switzer was urging such a policy, although the state is not particularly wedded to Mr. Butler. Virginia has all but paid its $55,000 quota and Gov. Lindsay Almond is anxious for the delegation to go to the convention with "no chip on our shoulders."

Florida is another state that's well up on its payments — all of 1957, two-thirds of 1958 and all but $27,000 of the 1959 quota. The state committee meets Nov. 28 to find ways of raising the needed money.

States Being Prodded

"We are sympathetic with the national committee," said Florida chairman James A. Milligan. "We realize they need funds up there and what they are doing is prodding the states to get them to pay up."

South Carolina national committeeman Edgar A. Brown wrote Mr. Butler that convention seats should be allocated on the basis of how hard states worked to hold the party in line in national elections.

"Your memorandum is offensive and incompatible with the position of a national chairman whose business it is to hold the party together," Mr. Brown told Mr. Butler.

He added that there was "not the slightest chance" South Carolina would send money to the party "as long as this area is a whipping boy."

Butler Has Several Kind Words for South

BOSTON, April 26 (AP)—Democratic National Chairman Paul M. Butler tossed some praise to the South tonight, but he said the responsible leadership of the Democratic Party rejects any compromise with past platform pledges on human rights.

Butler, in a speech prepared for the Ford Hall Forum, also:

• Called on President Eisenhower to endorse as morally right the Supreme Court decision against racial segregation in the schools.

• Appealed for Mr. Eisenhower to call leaders of both races into conference to discuss how the Court's decision can be carried out on a gradual, yet firm, basis.

• Asked Congress to implement the Court decision by passing the Douglas bill providing, among other things, for authority for the Attorney General to file injunction suits to protect civil rights generally and to enforce school integration.

• Called on both parties to start "giving greater meaning to our platforms and to take seriously our promises." Too often, he said, pious platform pledges have not led to political performance.

Butler, who has been a favorite target of some Southern Democrats for his outspoken stand for a strong civil rights platform in 1960, had some nice things to say about the South.

"We are often unmindful," he said at one point, "of the attitudes of a large body of Southern white persons—I believe it to be a majority—who, while they do not approve of the Supreme Court decision of 1954, are willing to obey the law. We show an insufficient appreciation for many civic, religious and youth groups in the South who are working on this problem with considerable skill and courage."

Butler said people outside the South forget the fine work so many Southerners in Congress are doing in the fields of health, education, foreign affairs and economic policy. They forget, too, he added, the courage shown by some Southern leaders who, though faced by predominantly white electorates, refused to join "the hue and cry for massive resistance and other doctrines of desperation."

Butler Sees Party Firm On Rights

Tells Editors Here He Never Sought To Oust South

By Edward T. Folliard
Staff Reporter

Paul M. Butler, chairman of the Democratic National Committee, told the Nation's leading editors yesterday that he had never said he wanted to drive the South out of the Democratic Party.

But he predicted that his Party, in its 1960 platform would back up the Supreme Court's stand against racial segregation in the public schools. And he said that those who did not want to go along with the platform could seek political refuge elsewhere—that would be up to them."

Chairman Butler appeared at the afternoon session of the 1959 convention of the American Society of Newspaper Editors in the Statler, along with Sen. Thruston B. Morton of Kentucky, new chairman of the Republican National Committee, and two Senators from each of the major parties.

Quizzed on Rockefeller

The program had them down for a "smoke-filled room" session. However, none of the politicians was able or willing to throw much light on the 1960 campaign.

Asked from the floor whether Gov. Nelson A. Rockefeller of New York was an active candidate for the Republican presidential nomination in '60, Chairman Morton said:

"I frankly don't know. But I do know that there are a lot of people in the country who want him to be a candidate."

Sen. Mike Mansfield of Montana and Sen. Edmund S. Muskie of Maine balked at speculating on the 1960 Democratic ticket, Mansfield uttering a loud "No, no."

Wouldn't Back Faubus

Butler was asked about reports that Gov. Orval Faubus of Arkansas, who became a symbol of segregation in 1957, might run for the United States Senate in 1960. Would the Democratic National Committee support him if he did run?

Butler said at first that this would be a matter in the province of the Democratic Senatorial Campaign Committee. He explained that it was not likely that he would be in his present post after the 1960 National convention. Then he proceded to answer the question anyway, saying:

"For myself, if I were chairman, I would not be inclined to offer any assistance to Governor Faubus."

His statement evoked applause.

Asked about the 1952 Democratic charge about a one-party press, Senator Muskie said that the Maine press had been fair to him, although the newspapers were owned mostly by Republicans.

Senator Mansfield said he thought that news coverage was fair, but that the editorials were slanted so as to favor the Republican side.

Chairman Butler said there had been a substantial improvement, but that there remained a segment of the press that was one-sided and unfair. He told the editors that they had a right to say whatever they wanted to say on the editorial page, and added:

"News is public information and should be reported fairly and impartially."

Other Senators Speak

Sen. Hugh Scott, Pennsylvania Republican, said he thought the talk about a one-party press had as little merit as any argument he ever heard. He said that in Pennsylvania, in the 1958 political campaign, most of the state's newspapers supported David Lawrence, a Democrat, for Governor, and himself for Senator.

Sen. Barry Goldwater, Arizona Republican, told the editors that they ought to give close study to the printed hearings of the McClellan Rackets Committee. They would discover, he said, that most of the trouble in the labor field was caused by power—power which at present cannot be controlled by the Government.

Sen. J. William Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee, said at the ASNE luncheon meeting that the main problem confronting Americans today is not Berlin, not the military problem, and not an economic or political problem.

"The main problem is a psychological problem within ourselves," he added.

He added:

"It involves the question of how we are going to adjust ourselves to living in a wrold in which the only other power of comparable strength is, to put it mildly, unfriendly.

"Worse, how are we going to adjust ourselves, as we must a few decades hence, to living in a world in which 600 million—perhaps by then one billion—Communist Chinese are a major power?

"In short, how are we going to get used to the idea that, like most other states of the past, we too now have to rely on foreign policy for survival? And how are we going to equip ourselves to do so?"

Senator Fulbright said that the urgency of the situation had been increased by the fact that the United States had been thrust into a position of world leadership, "without willing it and hardly knowing what to do about it." He said that the United States had done reasonably well but had to do much better.

"Before we can start doing very much better," he continued, "we are going to have to arrive at a much deeper, more thorough-going national agreement about what our real national interests are.

"At bottom, it seems to me, these real national interests dictate that we do what we can . . . to protect the 20th-century revolution in non-Communist Asia, in Africa, and in aLtin America from the Communist scavengers. Our interests require that this revolution be given a chance to develop along constructive lines.

"In dealing with the free people who are caught up in this revolution, we are going to have to realize that the rich and the powerful may be respected—but that they are rarely ever loved.

"We are going to have to realize that a democratic form of government in a middle-class social order does not clearly and necessarily represent the highest good to several hundred million or more of the people on this planet."

United Press International

Democratic National Chairman Paul Butler, right, meets Sen. Thruston Morton (Ky.) for the first time since Morton replaced Meade Alcorn as chairman of the Republican National Committee. Both spoke on "The Smoke-Filled Room" at yesterday's session of the American Society of Newspaper Editors.

SOME PRAISE FOR SOUTH

Butler Urges No Rights Compromise

BOSTON (AP) — Democratic national chairman Paul M. Butler tossed some praise to the South Sunday night but he said the Democratic Party rejects any compromise with past platform pledges on human rights.

Butler, in a speech prepared for the Ford Hall Forum, also:

1. Called on President Eisenhower to endorse as morally right the Supreme Court decision against racial segregation in the schools.

2. Appealed for Eisenhower to call leaders of both races into conference to discuss how the court's decision can be carried out on a gradual yet firm basis.

3. Asked Congress to implement the court decision by passing the Douglas Bill providing, among other things, for authority for the attorney general to file injunction suits to protect civil rights generally and to enforce school integration.

4. Called on both parties to start "giving greater meaning to our platforms and to take seriously our promises." Too often, he said, pious platform pledges have not led to political performance.

Butler, who has been a favorite target of some Southern Democrats for his outspoken stand for a strong civil rights platform in 1960, had some nice things to say about the South.

"We are often unmindful," he said at one point, "of the attitudes of a large body of Southern white persons — I believe it to be a majority — who, while they do not approve of the Supreme Court decision of 1954, are willing to obey the law. We show an insufficient appreciation for many civic, religious and youth groups in the South who are working on this problem with considerable skill and courage."

Butler said people outside the South forget the fine work so many Southerners in Congress are doing in the fields of health, education, foreign affairs and economic policy. They forget, too, he added, the courage shown by some Southern leaders who, though faced by predominantly white electorates, refused to join, "the hue and cry for massive resistance and other doctrines of desperation."

But the party chairman reiterated his no compromise with civil rights in these words:

"We in the Democratic Party are proud of our status as the only truly national party of the nation. We have every intention and determination of remaining so.

"But I want to serve notice on those who think that it may be necessary to purchase this national status or to achieve political advantage at the price of chiseling on human freedom, and deviating from the platform positions taken by our party in three national conventions, that the responsible leadership of the Democratic Party, nationally and in all sections of our nation, rejects that sort of compromise.

"While there may be dissent within our party regarding some of these policies, there will be no wavering from the course of stating clearly to all sections of the nation what the national policies of our party are and will be.

"Under no circumstances will we, or can we, undertake to read anyone out of our party, but we can and will make sure that the morally sound concept of human rights stays in."

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STATES RIGHTERS (DEMOCRATIC)

Thurmond Says Rights Commission Asks 'Further Rape' of States' Rights

Post, Washington, D. C. Sat. 9-5-59
P. A9

By John Chadwick
Associated Press

A Civil Rights Commission report which is not due out until next Tuesday drew a gathering storm of angry protests from Southern Senators yesterday.

Sen. Strom Thurmond (D-S. C.) issued a statement disclosing some of the proposals in the report and said they would have "the Federal Government further rape the rights of the states and the people."

Advance copies of the Commission's findings and recommendations fell into the hands of Southerners in Congress amid growing signs that Senate leaders have abandoned hope of fighting out the civil rights issue before adjournment.

Delay Seen as Strategy

One well-placed source said the strategy now is simply to rty to extend the life of the Civil Rights Commission and put off a battle over other proposals until Congress returns next January.

When the foreign-aid appropriations bill is called up for action, it was reported, an amendment will be offered to continue the Commission, which is scheduled under present law to go out of existence in two months.

Sen. Richard B. Russell (D-Ga.) said he would make a point of order against the amendment as legislation in an appropriation bill. But this could be overcome by a two-thirds vote to suspend the rules.

While Southern Senators are not expected to make a last-ditch fight against a simple extension of the Commission, the Commission's report on its investigation of voting rights and other civil rights could change the picture.

The Commission has set next Tuesday noon as the officials release time for its report. In his statement yesterday Thurmond went further in disclosing the report's contents than his Democratic colleague from South Carolina, Sen. Olin D. Johnston, did Thursday night.

Thurmond said the report makes recommendations in the fields of voting, education and housing but that it is not unanimous.

"The most obnoxious and vicious proposals do not even carry the support of a majority of the Commissioners," he said.

The Commission, created by the 1957 Civil Rights Act, is composed of six members—three from the North and three from the South.

Thurmond said one proposal in the report "would substitute a Federal registar to determine who is eligible to vote under state laws and to dictate registration lists to the state registration officials."

Dictatorship Charged

He said "three of the Commissioners have the audacity ot propose that the Constitution be amended to allow the Federal Government rather than the states to decide who should vote."

"This could well be called a proposal for outright dictatorship," Thurmond said.

In the field of education, he said.

In the field of education, he said, the proposals "go from the extreme to the absurd" and call, among other things, for "integration plans by the Federal Commissioner of education and the withholding of Federal grants from any school or college which does not integrate."

As to housing, Thurmond said "the Commissioners who join in the recommendations would have the Federal Government integrate all housing by executive fiat."

Thurmond contended the Commission's pproposals, if put into effect, "would promote racial strife, bitterness and hatred throughout the United States for years to come."

Sen. Kenneth B. Keating (R-N.Y.), told a reporter, meanwhile, that it would be completely indefensible for Congress to adjourn without extending the life of the Commission.

Keating said he felt Congress should stay in session until it has dealt with the whol civil rights issue.

Righters To Send Own Men To Demo Meeting

Post-Herald Birmingham, Ala.
Fri 9-4-59 34d
B-1

SELMA, Sept. 3 (AP)—States' Righters in the Alabama Democratic Executive Committee today elected to send their own representatives to a meeting of Southern party leaders in Jackson, Miss.

In a meeting here, the group elected Frank Mizell of Montgomery, M. Alston Keith of Selma and L. D. Anderson of Atmore to attend the Mississippi meeting.

The group said that in the event all would be unable to attend the sessions, the committee would elect a chairman to represent them.

States' Righters also adopted a resolution urging that minutes of the meeting here be sent to Sam Engelhardt, Alabama committee chairman, who said he couldn't attend because of a previous commitment.

The group also asked Engelhardt to call a meeting of the full committee at the earliest possible date.

Engelhardt named George Bailes, committee vice chairman and a member of the loyalist faction within the party, to represent him.

Engelhardt said he was asked to send the vice chairman if he couldn't attend himself.

Program Adopted

The States' Rights group, meeting at the Selma Country Club, also announced a five-point program which includes a request for a complete audit of all committee funds for the past eight years.

It asked that such an audit not be restricted to the finance committee, but be made available to the entire committee.

However, it asked that the audit not be made public.

The committee also:

2. Asked that the loyalty oath "remain permanently eliminated from all qualifications pertaining to voters and candidates in the Democratic primaries of this state."

3. Favored voters having the right in Democratic primaries to vote for unpledged presidential electors.

4. Opposed hand picking of "delegates to the so-called Democratic national convention."

5. Asked that the chairman of the committee issue an immediate call for a meeting of the full committee to complete committee organization and to adopt committee procedural rules.

On the latter point the States' Righters said that a meeting in Birmingham last Spring was adjourned before rules could be adopted and that the chairman failed to call a promised meeting in June.

The five-point program was reported by a committee composed of Lawrence E. McNeil of Birmingham, John D. McQueen Jr., of Tuscaloosa, and Frank Mizell of Montgomery.

GOING TO MEETING—
George Lewis Bailes Jr.

States Rights Democrats Act

We do not think any practical Alabama Democrat believes that this state can have much influence by cutting itself away from the national Democratic Party.

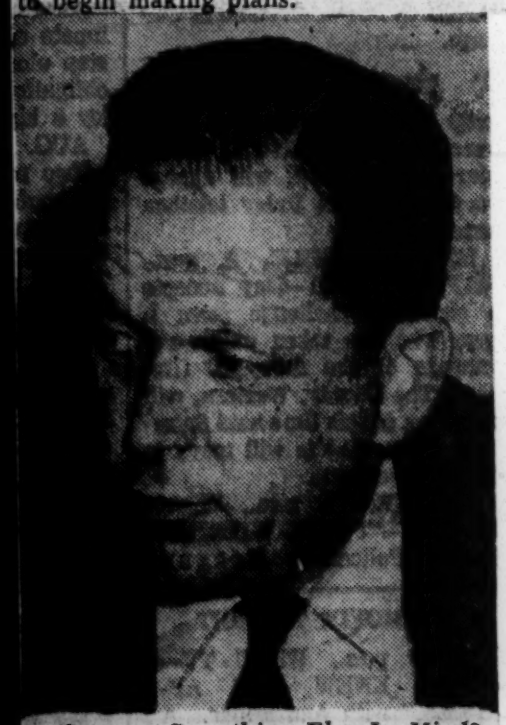
A "third party" is out.

But there is genuine belief on the part of some that Alabama and other Deep South Democrats cannot be made to accept Butlerism and all it possibly could mean at the California convention in '60. Some of these feel that even if they cannot set up a third force effectively, at least they don't have to swallow Butlerism.

States' rights members of the state Democratic Executive Committee have met in Selma and named three of their number to go to Jackson next Wednesday for a conclave of Southern Democratic leaders. Sam Engelhardt was supposed to go but he says he has another date and is sending George Lewis Bailes, Jr., instead.

Engelhardt, of course, has appeared to "switch." One might have thought him a bitter-end states' righter. But under the Patterson aegis and apparent plan, he is eager to keep the state's Democratic leadership loyalist in effect. Thus a Bailes going to Jackson could have something quite different in mind from that which is in the minds of the other three possible delegates.

It is not too soon for Southern Democrats who are dead set against Butlerism to begin making plans.



Bailes . . . Something Else In Mind?

In such planning they should have the help of all Alabama politicians. Standard bearers such as Hill, Sparkman, Patterson et al ought to help weld the Southern approach for '60 so that unity will lend our representatives greater strength for the battle. Alabama politicians all are anti-Butler. But that sentiment must be translated into a sensible course of resistance and in a manner to make that resistance as effective as possible.

34d 1959

LOYALTY OATH
DEMOCRATIC LOYALIST

Bailes to ask loyalty oath be revised

BY FRED TAYLOR
News staff writer

Democratic Loyalist George Lewis Bailes Jr., backed by Gov. John Patterson for vice chairman of the State Democratic Executive Committee, will introduce a resolution to revise the party's controversial loyalty oath.

Bailes, Birmingham business man, said he would do this "in the interest of party harmony" at a special meeting of the committee called by Chairman Sam Engelhardt for 10 a.m. Friday at Tutwiler Hotel.

But more battling was in prospect over the committee vice chairmanship, with Democratic Anti-Loyalist Coleman Long of Uniontown reiterating today he would stay in the race for this post against Patterson-backed Bailes.

"I've got no idea of doing anything else," said Long. "I never retreat under fire."

LONG AND Richard H. Monk of Anniston were picked for vice chairman and secretary of the committee at a Montgomery caucus of anti-loyalists Sept. 3 when Montgomery Atty. Frank Mizell also was ticketed for chairman.

Gov. Patterson, who succeeded in getting Engelhardt elected over Mizell, set the stage for more intra-party fighting when he endorsed Bailes for vice chairman and Gadsden Atty. Hobdy Rains for secretary.

Bailes is a newcomer to the committee, but Rains is a veteran, having served eight years as secretary of the state party governing body.

Monk also declared he would stick in the race for secretary.

Bailes said, "My resolution would readopt the Democratic loyalty oath which remained in effect in Alabama from 1930 to 1952 to require candidates entering the primary elections to pledge to support party nominees for state and county offices only."

Discarded would be that part of the spelled-out oath binding primary election candidates to party nominees for presidential electors.

"I FEEL THAT we have a mandate from the people, certainly from the Ninth District and I believe from the state at large, to do away with that portion of the loyalty oath requiring candidates to pledge themselves to support nominees for presidential electors," said Bailes.

"This is certainly in the interest of party harmony."

Concerning the vice chairmanship, Bailes said, "I did not seek the post. But upon my return from a business trip to the West Coast, so many of my friends have asked me to stand for election that I have agreed to do so.

"Gov. Patterson called me and asked me to run and said he would support me in the interest of party harmony and the desire to best serve the Democrats of Alabama."

Long reiterated that Chairman Engelhardt had agreed to go along with him for chairman, saying, "I was getting ready to draft a letter to all members of the committee, telling them Sam Engelhardt was supporting me and asking that the internecine warfare stop. I sent Sam a copy of the letter and deferred mailing it out. I wrote him to clear it with the governor."

Long added that "I went back to Montgomery last week and saw Sam. I asked him if it was all right with him and the governor to mail out the letter. He said it was all right."

BUT ENGELHARDT, who is pledged to discard the loyalty oath, declared today he had never promised to support Long for vice chairman.

"I told Mr. Long I have no quarrel with him, but he's mistaken if he thinks I told him I would vote for him."

At the committee organization meeting at Montgomery in January, Engelhardt was elected chairman over Mizell by a vote of 36 to 35.

Lawrence McNeil, Birmingham insurance man and newcomer to the committee, called on fellow anti-loyalist members to "keep faith with each other," despite the fact that Engelhardt was elected chairman.

McNEIL SAID he had written those who voted for Mizell and whom he addressed as "the faithful 35," urging a united front at Friday's committee meeting. His letter stated:

"Whether we win or lose, these somewhat petty positions will not be rembered, but if we retain our personal honor and keep faith with each other—we will be able to carry that with us a long time."

AT MONTGOMERY, Mizell called on anti-loyalists to stick by Long and Monk, saying he feels bound by the Oct. 3 caucus to support them and "I think that every person who participated in that caucus should abide by it."

Bailes Shapes Plea To Repeal Loyalty Oath

BIRMINGHAM (UPI) — George Lewis Bailes Jr., one of two loyalist members of the State Democratic Executive Committee proposed for offices, said today he would introduce in the interest of harmony a resolution to do away with the controversial party loyalty oath.

Gov. John Patterson Monday announced he would support Bailes, a Birmingham businessman, for vice chairman of the committee and Hobdy G. Rains of Gadsden for a third term as secretary-treasurer.

The committee meets Friday to elect those officers with the prospect of another states rights-loyalist battle over who will be elected plus consideration of the loyalty oath.

In announcing he would introduce the resolution, Bailes said his proposal would be to readopt the party loyalty oath which remained in effect in Alabama from 1930 to 1952. He said it required candidates entering primary elections to support party nominees for state and county offices only.

MANDATE FROM PEOPLE

"I feel that we have a mandate from the people, certainly from the ninth district (where Bailes was the only loyalist elected to the committee) and I believe from the state at large, to do away with that portion of the loyalty oath requiring candidates to pledge themselves to support nominees for presidential electors," he said.

"This is certainly in the interest of party harmony."

When the committee meets here Friday, the loyalists are expected to propose their candidates for office against a states rights slate.

However, Lawrence E. McNeil of Birmingham urged the anti-loyalists who hold a majority of seats on the 72-member committee to oppose Patterson's selections. He urged them to support H. Coleman Long of Uniontown as vice chairman and R. H. Monk of Anniston as secretary-treasurer.

The State Righters, or anti-loyalists opposed to the party rule binding candidates to support the national ticket, pledged their support to Long, Monk and Montgomery attorney Frank Mizell as chairman of a caucus in Montgomery Oct. 3. Patterson opposed Mizell and Sam Engelhardt of Shorter won the top post by a vote of 36-35.

Mizell said, "I am committed to H. Coleman Long and Dick Monk and I think that every person who participated in that caucus should abide by it.

"Although I have respect for Mr. Bailes and Mr. Rains, personally, they still are known as supporters of the infamous loyalty oath which was soundly repudiated by Alabama Democrats in the primaries," Mizell said. "I can assure you a vigorous effort will be made to repeal this oath as the voters of Alabama have directed."

Mizell said Patterson's support of Bailes and Rains raised "serious doubts" as to whether the governor wanted the oath changed. Engelhardt said he favored repeal.

Patterson's backing of Rains and Bailes came less than a week after he said the administration would offer its own candidates for the two posts. However, Patterson made his announcement after Long had received the support of Engelhardt, Patterson's Highway Department director.

Loyalty Pledge Is Tossed Out

Alabama Democrats Break National Party Bonds

ARGUMENTS ARE HEATED

BIRMINGHAM, Ala., March 20.—The Alabama Democratic Executive Committee threw out a controversial loyalty oath binding presidential electors to national party candidates Friday in a sometimes-heated meeting marked by exchanges between states' rights and loyalist factions.

The 72-member committee, the policy-making body for Alabama's Democratic Party, adopted a resolution proposed by Attorney Frank Mizell of Montgomery that is aimed at committing the state party to any liberal candidates.

The resolution, passed by a 44-25 vote, said that no candidates for Democratic National Convention delegate or for presidential elector be required to pledge support to national party candidates.

It said they may do so if they wish but "they should be required to pledge themselves to support the nominees of the Alabama Democratic Party and its primaries in which they participate."

Words Are Specific

The resolution specified that no candidates or voters be declared ineligible to participate in any party primaries if they "failed or refused to aid and support or to vote for the nominees" of the National Democratic Convention.

Adoption came after two so-called loyalists, who had supported the old pledge, were elected to office with the backing of Gov. John Patterson.

George Lewis Bailes Jr., of Birmingham, was chosen vice chairman by a 38-32 vote over states' righter H. Coleman Long of Uniontown and Hobdy G. Rains of Gadsden won a third term as secretary-treasurer, 39-32, over Richard H. Monk of Anniston, also a member of the states' rights faction. Mr. Bailes had also proposed a resolution to replace the loyalty pledge which would require a primary candidate to swear "he will support in the next general election candidates nominated by the Democratic Party of Alabama," omitting any reference to national party candidates.

But the committee voted 43-28 to table his proposal and Mr. Bailes himself voted "in the interest of harmony" to back the resolution proposed by Mr. Mizell, who was defeated last January by one vote for chairman of the committee.

The meeting was marked at one point by a bitter exchange between Judge Roy Mayhall of Jasper, a former chairman and a loyalist, and M. W. Bagwell Sr. of Birmingham, a states' righter.

Judge Makes Charges

Judge Mayhall had charged that Republicans voting in the party primary had elected states' rights members in Birmingham.

Mr. Bagwell also shouted at Chairman Sam Engelhardt "use your force . . . get that iron fist going" shortly after the meeting got under way with signs charging "Sam Engelhardt sold us out like Judas for a few pieces of silver" being paraded about the meeting room.

Those carrying the signs, who also briefly picketed the front of the hotel in which the meeting wsa being held, said they represented the White Citizens Council.

Mr. Engelhardt said after the meejtng that he felt it was an "indication of the will of the people and will result in a stronger Democratic Party."

But Mr. Mayhall charged that Alabama would be hurt by repeal of the oath. "We won't get the full co-operation of the national Democratic Administration," he said. "The repeal might lead to another walkout from the National Convention and it is strengthening the Republican Party in Alabama."

Mr. Engelhardt also an-

nounced that he had appointed Mr. Bailes, Mr. Mizell and M. Alston Keith to a committee to study possible revision of the committee rules. He said a fourth member would be named later and the committee would report to a meeting in June.

Loyalty Oath In Part May Be Retained

BIRMINGHAM —(AP)— George Lewis Bailes Jr., wants to free Alabama presidential electors from the controversial loyalty oath, but keep it for state and county elections.

Bailes said he would introduce a resolution to that effect when the State meets at Birmingham on Friday.

A freshman member of the committee, from Birmingham Bailes is the choice of Gov. John Patterson for vice chairman of the committee.

"I'm looking for a vehicle to tie the Alabama Democratic Party and the state back together," said Bailes.

His reference was the split of the committeee into the so-called states rights and loyalist factions. The states righters want to throw out the loyalty oath completely. The loyalists, of which Bailes is considered a member, are reported in favoring of keeping some or all of the oath.

The controversial oath requires Democratic nominees to promise to support all other Democratic nominees.

Patterson's choice for secretary of the committee is Heddy Rains of Gadsden.

Earlier Patterson's selection for chairman, Highway Director Sam Engelhardt, was elected by a one-vote margin.

Candidates backed by the states righters in Friday's election are H. Coleman Long of Uniontown for vice chairman and R. H. (Dick) Monk of Anniston for secretary.

By 45-25 vote—

State Demos KO national loyalty oath

BY FRED TAYLOR, News staff writer

Into the discard Saturday went part of Alabama's controversial Democratic loyalty oath, which had required candidates entering the party's primary elections to pledge they would support nominees for presidential electors.

In junking this part of the oath by a 45 to 25 vote, committee members elected choices of Gov. John Patterson for vice chairman and secretary and retained that part of the oath requiring party candidates to pledge support to nominees for state and county offices.

AFTER A SPIRITED tussle, George Lewis Bailes Jr., Birmingham business man and newcomer to the committee, was elected vice chairman by a 38 to 32 vote.

Hobdy Rains, Gadsden attorney and veteran committee member, who had already served eight years as secretary, was elected to a third term in this post. The vote was 39 to 32.

Both Democratic loyalists, Bailes and Rains defeated anti-loyalists Coleman Long of Uniontown, who had sought the No. 2 post, and Richard H. Monk of Anniston.

GOV. PATTERSON'S forces, led by Chairman Sam Engelhardt, helped push through the resolution by Montgomery Atty. Frank Mizell to cast aside that part of the loyalty oath which tied Alabama Democrats to the national party.

Bailes, who offered a resolution that likewise would have knocked out that part of the loyalty oath linking this state's Democrats to the national party, voted for the Mizell resolution "in the interest of party harmony."

BAILES' RESOLUTION, like Mizell's, also called for candidates entering Democratic primary elections to pledge to support party nominees for state four-member committee to draft a set of rules.

He named Bailes, Mizell and Alston Keith of Selma to serve on this rule-shaping group with another member to be announced.

And Engelhardt said he would call another committee committee meeting the latter part of June to adopt the new rules.

Patterson hinted as convention delegate

Gov. John Patterson was boosted as a likely candidate for delegate to the Democratic National Convention at Los Angeles next year by John F. Britton, Montgomery attorney and State Democratic Executive Committee member, at Friday's committee meeting.

Britton, in urging election of George Lewis Bailes Jr. for committee vice chairman, said he was doing so "in the interest of party harmony—I daresay we could use some—and in the interest of strength and unity."

"Strength and unity will be needed when Gov. Patterson leads the Alabama delegation to California in 1960," added Britton.

Patterson indicated several months ago on "Alabama Press Conference," WAPI-TV's public discussion program, he might be interested in running for delegate.

JUDGE ROY MAYHALL of Jasper, former state chairman and a veteran committee member, pointed out that "more people in Alabama voted for loyalist candidates for committee places than voted for anti-loyalist candidates."

Mayhall referred to the total vote. Committee members are elected by districts.

A majority vote of the state committee could reinstate the oath or effect other changes.

GOV. PATTERSON and Engelhardt, who was elected chairman with Patterson's backing, both were for knocking out that part of the oath requiring loyalty to presidential elector nominees.

Thus Gov. Patterson, titular head of the Democratic Party in Alabama, was successful in getting all three of his candidates elected to key committee posts and the oath changed.

AFTER MUCH wrangling over committee rules change proposals offered by Mizell, Chairman Engelhardt adjourned the long, noisy meeting held Friday at Tutwiler Hotel and announced appointment of three members of a

STATE DEMOCRATIC COMMITTEE HEADS
. . From left, Hobdy Rains, elected secretary; George Lewis Bailes Jr., chosen vice chairman, with Chairman Sam Engelhardt

THIRD PARTY IN 1960 IS RISKY FOR SOUTH

But Five States Have Taken First Steps Toward Creating a New Dixiecrat Movement

CIVIL RIGHTS A KEY ISSUE

By ARTHUR KROCK

WASHINGTON, March 28—The outlines of another Dixiecrat movement in the Democratic party took more definite form with the addition of the state Democratic organization in Arkansas as the fifth in the South that will refuse to bind its Presidential electoral slate to vote for the national party ticket. But in the estimates, more accurately guesstimates, on the potential of this movement to deny the national Democratic ticket an electoral majority in 1960, these realities of politics should be given their full weight:

(1) In the vocabulary of politics the word "never" does not occur.

(2) The art of successful government, is compromise.

Consequently, the most bitterly sworn political foes have "adjusted" their differences for considerations of party or personal advantage, one of which comes with keeping the rival party out of power. On this consideration also third-party movements have been few and generally futile in American politics. And when the nomination of an independent ticket influenced an election (as the Republican Bull Moose ticket did in 1912), it cast from power the party of its origin and bred personal feuds which, recurring in later years, have been instrumental in the loss of later elections.

Effect in Congress

It is not only the loss of Federal jobs, or of the opportunity to acquire them, that can be the cost of party irregularity in a national election. There is another threat involved for party irregulars who are elected to Congress in the year of their insurgency, or even thereafter. This threat is the loss of committee chairmanships or coveted committee places if the national party ticket has won and also carried Congress, as President Truman and Vice President Barkley did in 1948, and President Coolidge and Vice President Dawes in 1924. And if the party ticket has lost Congress, whether or not in a year of internal insurrection, the places of power its members hold are automatically transferred to the victorious party.

The Republicans penalized the 1924 third-party La Follette rebels in terms of Federal jobs and House and Senate committee assignments. But the Democrats did not follow suit after 1948, and Senators and Representatives who had publicly supported the Thurmond-Wright independent ticket held their positions. This grant of immunity may be repeated if another Dixiecrat movement is formally launched but fails to prevent the election of the national party ticket. Though Northern and Western Democrats vow they will require the electoral "loyalty oath" from all participating in the 1960 convention, on pain of ejection from the party, this conceivably could once more be compromised, as in 1956.

Riskier in '60

But signs available at this juncture indicate that Democratic insurgents will be confronted by a much greater risk than in 1956 and the convention will impose on them a firm choice between November regularity and party excommunication. Certainly there will be challenges, in the National Committee, the Credentials Committee of the convention and in the convention itself, of the accreditation of delegations from states where the electoral slates of the regular Democratic organization will be unpledged to vote for the convention nominees. And now there are five such states—Georgia, Arkansas, Louisiana, Mississippi and Alabama—with a prospective forty-nine Presidential electors. So while retreat from the most loudly asserted positions is always possible in politics, and compromise is its essential process, these challenges just might be carried to the penalty stage in the belief of the majority that this is necessary if the electoral majority of 269 is to be forthcoming elsewhere in the nation.

What course, then, could profitably be pursued by the Democratic state organizations thus penalized by the national party? On the test of 1948 each could carry its independent electoral slate over the group pledged to cast its votes for the nominees of the national convention. But unless the movement as a whole won enough state electors to prevent either major party national ticket from getting 269, this would be the prospect:

A successful national Democratic majority would be under much heavier pressure than in 1948 to extend the exile of the party rebels to the areas of Federal patronage and Congressional places. A successful Republican party could be depended on only for a small share of these. And intense internal bitterness among Democrats would follow either result.

Furthermore, since the independent electoral movement would have sprung from the conflicting Democratic concepts of equal rights for Negroes, the Republican ticket and platform would be no more palatable—probably less—to the irregulars than the Democratic, from which they had seceded.

Stalemate

Therefore, the only result of the Presidential election profitable to the Democratic insurrectionists would be a stalemate that would require the President to be chosen by the House among the three candidates for whom the highest numbers of electoral votes had been officially cast in the December following the November poll. This indeed would be a fruitful consequence for the participants in a quasi-Dixiecrat movement which had achieved it. For in the election by the House of President each state, regardless of size or population, has a single vote, and a majority prevails. This constitutional provision gives any linked group of states a formidable position in which, even though its Presidential candidate could not get a majority, the group's support would be essential to the choice of another.

But not until the Democratic convention has adjourned can there be an estimate of the extent of the independent movement now forming within the Southern branch. And not until an election has been held in which independent electoral slates are before the voters could it be known whether the movement had attained the objective which would profit it most.

Meanwhile, it represents a mounting threat to the success of the Democratic party in 1960 and to the party's solidarity after 1960, however the election may turn out. As a young boxer once said of the champion, after having been knocked down three times in one round: "He didn't do me no harm. But—he—he—he didn't do me no good!"

DIXICRATS CREATE WORRY FOR PARTY

Prospect Grows of Action to Bar Convention Seats to Some Southerners

By W. H. LAWRENCE

Special to The New York Times.

WASHINGTON, March 28—The rise of a neo-Dixiecrat movement in the South presented today the distinct possibility of another bruising party loyalty battle in the 1960 Democratic convention.

The movement, so far embraced by five states, is aimed not at creation of a third party but toward freeing Presidential electors from any obligation to vote in the Electoral College for the Democratic Presidential ticket even if the ticket carried the home state of the electors.

National party leaders are keeping the new movement under close surveillance with a view to determining whether state parties arming such policy should be denied seats in the convention, which will convene in Los Angeles July 11.

Basic Convention Rule

National convention rules state the understanding that a state party organization, by certifying delegates to the national convention, "thereby undertakes to assure that voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said convention, and for electors pledged formally or in good conscience to the election of these Presidential and Vice Presidential nominees, under the Democratic party label and designation."

The Southern campaign, which amounts to a threat to try to force the Presidential election of 1960 into the House of Representatives where each state, large and small, would have one vote, gained impetus last week when the Alabama Democratic Executive Committee freed its electors of any obligation to support the national ticket. The freedom of choice has also been accorded to the electors from Georgia, Arkansas, Louisiana and Mississippi.

If there is a close division in the Electoral College the state in the movement might prevent either the Democratic or Republican Presidential ticket from gaining the majority necessary for victory. With the admission of Alaska and Hawaii to statehood, the 1960 Electoral College will have 537 members, with 269 required for a choice that would keep the election out of the House.

The movement in the South has its basis in the issue of civil rights.

Attitude of Butler

Paul M. Butler, Democratic National Chairman, declared today that the party organization would not be deterred from the fullest support of civil rights.

"Even though some Democrats do not agree with the position of the Democratic party on civil rights, we do not believe that they will serve the best interests of themselevs or of the states or of our nation or of our party by walking out on the Democratic party or its nominees," he said.

"I do not wish to speculate in 1959 on what action the Democratic National Committee or the Democratic National Convention of 1960 might take with regard to states whose delegates do not come to the convention in good faith or whose electors are not pledged to support the nominees of the Democratic party.

Leon Mehlberg

"At this time I wish to associate myself with the view expressed by former President Truman when a similar question was addressed to him last fall and he replied that he did not think the South was going to secede again in 1960."

The Southern movement, which has been picking up steam for some months, has a strategy different from that of the 1948 Dixiecrats. Then as the States Rights Party, the Dixiecrats nominated a ticket headed by Gov. Strom Thurmond of South Carolina, now a Senator. The party received 38 electoral votes, including those of South Carolina, Alabama, Louisiana and Mississippi.

DIXIECRAT MOVE GAINS ADHERENTS

Unpledged Electoral Slates Could Spell Trouble for Democrats Next Year

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, March 21 — A neo-Dixiecrat movement that could spell trouble for the 1960 Democratic Presidential candidate in the Deep South has

gained impetus with the repeal of Alabama's party loyalty oath.

Yesterday the state's Democratic Executive Committee voted 45 to 25, in Birmingham, to throw out the pledge that had bound Presidential electors to the national party nominee.

However, the committee held that all primary candidates must declare their support for Democratic nominees on the state level.

Both Arkansas and Georgia proposal have enacted similar legislation freeing electors and a similar plan is being pressed in Texas.

Under present party regulations, Louisiana and Mississippi Democrats can withhold their support from the national candidate.

The movement was spawned chiefly by Southern dissatisfaction of the Supreme Court's desegregation decision and efforts of the national party's liberal wing to adopt a stronger stand on civil rights.

In its action yesterday, the Alabama group denounced the "northern demagogues who are the darlings" of the National Association for the Advancement of Colored People, and declared:

"It is our object to restore, through the medium of our democratic organizations, those principles of constitutional government and states' rights which were so long the foundation of Democratic political belief."

The Birmingham Post-Herald, a Scripps-Howard newspaper, said in endorsing the action in an editorial today:

"Such a proviso, we believe, would give delegates to the Democratic National Convention a stronger hand in getting a nominee more to our way of thinking."

Warning to the North

"The Northern leaders of the party will know that Alabama is not 'in the bag' to vote blindly for whoever they handpick for President."

However, Judge Roy Mayhall of Jasper, Ala., a Democratic "loyalist" and former state chairman, warned that the oath repeal would hurt the party and the state.

"We won't get the full cooperation of the national Democratic Administration," he said. "The repeal might lead to another walkout from the national convention and it is strengthening the Republican party in Alabama."

Many of the Southerners backing the free electors campaign took part in the Dixiecrat bolt in 1948. Their candidate, J. Strom Thurmond, now a Senator, gained thirty-nine electoral votes but failed to prevent President Truman's victory.

This lesson apparently left the dissidents with little taste for a third party. Roy V. Harris of Augusta, Ga., an advocate of the unpledged-electors plan and once viewed as the kingmaker in Georgia politics, wrote in his weekly The Augusta Courier:

"Third parties have been tried in several elections in recent times and for some reason or other, the people of the nation do not take kindly to third parties."

Southern Congressmen are reported to have counseled privately against an outright party bolt, possibly because it might cost them their committee posts.

Leaders of the elector movement have indicated that they expect little help from Southern office holders even in this new strategy.

South Seen as 'Ripe'

H. M. Martin, a retired admiral who is executive director of the Campaign for the forty-eight States with headquarters in Memphis, said "the electorate of the South seems to be ripe at this moment" for the plan.

His organization's proposal calls for adoption of an acceptable platform by the states that have freed their electors.

The platform, according to spokesmen, would be presented to national candidates of both parties with the stipulation that unless the candidate officially endorsed it he would not receive the electors' support.

The hope is that if no candidate agreed, the withholding of Southern votes would prevent anyone from receiving a majority in the Electoral College. This would throw the election into the House of Representatives, where each state would have one vote.

zenship rights in varying degrees. There are at present 106 Congressmen from these states. Of this number, 30 are there as a direct result of the approximately 9 million colored voters in these states as of the 1950 census."

LAWS SAID that because of this situation many Southern colored citizens, not only suffered from "taxation without representation," but from what is immeasurably worse—"taxation with malicious misrepresentation."

The NAACP official asserted that in some of these Southern States colored people were being denied many civil rights, including the right to vote. He named Louisiana and Mississippi as the chief offenders in this respect.

Voters who elected Dixiecrats snubbed

AUSTIN, Tex. Thirty members of the United States House of Representatives from Southern States owe their position in Congress to the colored population in their respective states. Yet, these same congressmen are the greatest barriers to non-whites' attaining full citizenship.

This view was expressed Sunday by Clarence A. Laws, NAACP.

Speaking at a public meeting here Sunday by Clarence A. Laws, field secretary of the sponsored by the Austin Branch of the NAACP, Laws said:

"There are 12 Southern States which continue to resist school desegregation and citi-

34d 1959

GALLUP POLL STUDY

South Would Balk Catholic Aspirant

By GEORGE GALLUP
Director, American Institute of Public Opinion

PRINCETON, N.J. — If Sen. John Kennedy or any other Roman Catholic should become the Democratic nominee next year, would he follow Al Smith's path to defeat in the South?

GALLUP

Ever since a majority of Southern voters in 1928 bolted the Democratic party to vote for the Republican (and Protestant) Herbert Hoover, any discussion of nominating a Catholic for President inevitably centers on the possible reaction of the South.

A special Gallup Poll study of Southern reactions to a possible Catholic candidacy in 1960 reveals these facts:

The South remains the center of opposition to a Catholic President — one voter in three in the 13 Southern states today says he would not vote for his party's candidate if the nominee happened to be a Catholic.

By way of comparison, only one voter in five in the states outside of the South is opposed to a Roman Catholic occupying the White House. Here is the vote:

"If your party nominated a generally well-qualified man for President, and he happened to be a Catholic, would you vote for him?"

VOTE FOR CATHOLIC?

	South	Non-South
Yes, would	53%	73%
No, would not ...	35	20
Don't know	12	7

As in the case with the rest of the country, the degree of opposition to a Catholic has lessened in the South over the last two decades. But the increase in acceptance of a Catholic candidate since a 1940 Gallup Poll study has been less marked in the South than elsewhere.

For the total nation, the proportion who would vote for a Catholic has gone from 62 per cent to 68 per cent. In the South, this has been the trend:

VOTE FOR CATHOLIC?
—South Only—

	Today	1940
Yes, would . . .	53%	51%
No, would not . . .	35	41
Don't know . . .	12	8

Anti-Catholic sentiment today is not so strong in the states of the Deep South as it is in the "Mid-South" states of Virginia, North Carolina, Arkansas and Florida — a fact which calls to mind the voting pattern in the Hoover-Smith race 30 years ago.

Actually, it was the Mid-South much more than the Deep South which went so heavily against Smith. With the exception of Arkansas, home state of the Democratic Vice-Presidential candidate, Joseph T. Robinson, all of the normally Democratic Mid-South states above went heavily Republican in 1928.

The Deep South states of Alabama, Georgia, South Carolina, Louisiana and Mississippi, all remained in the Democratic column in 1928.

Opposition to a Catholic President in the Southern States stems primarily from a fear that his conduct in office might be unduly influenced by the Vatican.

But in the South, more frequently than elsewhere, Gallup Poll reporters heard the opposition also based on the ground that "I just don't understand Catholics" or "I never had much to do with Catholics."

That this would be actually the case in many parts of the predominantly Protestant South is not surprising. In some Southern states, Catholics make up only one or two per cent of the population. In the last Presidential election, only about five per cent of all Southerners who went to the polls were Catholic.

This last fact could have important implications for any Catholic Presidential candidate. It means he could count on Catholics to offset the anti-Catholic vote that undoubtedly would be registered here.

The Gallup Poll

The Washington Post

56.2 Million Democrats.

Wash. D.C. P.A. 14.

37.6 Million Republicans

34d General

Jan 11-13-59

By George Gallup

Director, American Institute of Public Opinion

PRINCETON, N. J., Nov. 12 In laying their strategy for next year's election campaign, Republican leaders will have to face one simple fact of electoral arithmetic—the GOP is the minority party in U. S. politics today.

If every citizen of voting age were required to register this week, either as a Republican or a Democrat, the Democrats would outnumber GOP adherents by nearly 19 million voters.

Based on an estimated total of 102,300,000 civilian citizens of voting age, here is the way a Nation-wide re-registration of all voters would line up:

RE-REGISTRATION

Nov., 1959

Democrats	56,200,000
Republicans	37,600,000
Undecided	8,500,000

Since one year ago, both parties have gained a few adherents—a fact due both to a decrease in the proportion of voters who are undecided and an over-all increase in the U. S. population. This was the party lineup in November, 1958 on the eve of the congressional elections in which the GOP went down to its worst defeat in 22 years:

RE-REGISTRATION

Nov., 1958

Democrats	54,400,000
Republicans	36,600,000
Undecided	9,900,000

(As reported earlier in the current Gallup Poll series, the Republicans have made some slight gains recently in winning back the allegiance of business and professional and white-collar groups, but they have yet to make much of a dent in the heavily Democratic ranks of the Nation's farmers and manual workers.)

One of the most important elements in Eisenhower's victories in 1952 and 1956 was the support of the independent voters—a group claiming allegiance to neither of the two major parties.

Among the independent voters who stated a preference, this is the result:

RE-REGISTRATION

Independents Only

Would register Democratic	55%
Would register Republican	45

Excluding those voters who are undecided, here is the vote by regions of the country:

RE-REGISTRATION

East	
Democratic	55%
Republican	45
Midwest	
Democratic	54%
Republican	46
Far West	
Democratic	54%
Republican	46
South	
Democratic	77%
Republican	23

Here is the registration lineup in other major groups in the population, again excluding the undecided:

RE-REGISTRATION

	Dem.	Rep.
Men	61%	39%
Women	59	41
21-29 Yrs.	60%	40%
30-49 Yrs.	63	37
50 Yrs. & Over	56	44

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SHORT TAKES IN WORLD OF POLITICS

GOP leaders says Symington only made 'grandstand' play

The Afro-American
Baltimore Md.

WASHINGTON

When Sen., Stuart Symington (Dem., Mo.) refused to speak before the segregated Arkansas Democratic "harmony dinner," Val J. Washington brushed it off as a "grandstand play."

The vice chairman of the Republican National Committee, in charge of minorities, pointed out that such action doesn't mean much in the battle of civil rights.

If Mr. Symington wants to do something really meaningful, continued Mr. Washington, he should take a firmer stand by voting against the likes of James O. Eastland of Mississippi in the Senate — where it counts.

Ark. changes tune

LITTLE ROCK — Earlier last week, Arkansas Democrats heaped praises upon Sen. Stuart Symington. But when he suddenly decided not to be the keynote speaker at the Arkansas Democratic dinner, they heaped coals of fire upon him.

After the Missouri Democrat announced that he could not speak at the dinner because it was being held on a segregated basis, Rep. Dale Alford said: "Obviously he does not desire conservative support."

Sen. John L McClellan (Dem., Ark.) simply stated he was sorry to learn that Mr. Symington canceled the engagement.

Gov. Orval Faubus added: "It is now apparent that all of the people who had thought Symington would be a likely compromise candidate for the Presidential nomination will re-evaluate the situation based upon the developments."

Caught in middle

LITTLE ROCK — The Arkansas Democratic harmony dinner was caught in the middle last Friday night because of the question of segregation.

First, Sen. Stuart Symington decided to snub the fete; then, the invited colored guests announced they would boycott the banquet because they would have to sit at separate tables, and many whites stayed away because colored people were invited.

Truman misquoted

INDEPENDENCE, Mo.—Former President Harry S. Truman last week denied that he had called Adlai Stevenson a "loser" at the Texans-for-Stevenson rally in Houston last month.

"I never made any such statement. I did say that we had so many candidates that we didn't know what to do with them, and they were all good."

"As for a favorite candidate," said Mr. Truman, "I'll have one when the time comes."

'No comment' — Rock

WASHINGTON — Following a conference with the President last week, Gov. Nelson A. Rockefeller gave out with a "no comment" when asked if he was ready to announce his candidacy for the GOP nomination for the office.

The New York governor told members of the press that the main reason for his visit with Mr. Eisenhower had to do with a meeting of state governors.

Governor Rockefeller admitted, however, politics was discussed at one phase of the conference.

Nixon—Rockefeller

WASHINGTON — Gov. Nelson A. Rockefeller can beat Vice President Richard Nixon in the New Hampshire primary on March 8 if they both campaign actively, it was predicted last week.

Sen. George D. Aiken, a Vermont Republican, said that Mr. Nixon is out front at present but can be beaten out by Mr. Rockefeller in most New England states.

Extend A-test ban

PONTIAC, Mich. — The U.S. should extend its ban on all nuclear tests for another year, said Sen. Hubert H. Humphrey (Dem., Minn.) here last Friday night.

It was the first stop of a 13-state speaking tour by the Minnesotan to boost his hopes for the Democratic nomination for President.

And extension of the ban on atomic tests, said Mr. Humphrey, would mean an end to at least one impose currently faced in East-west talk.

Chm. Paul Butler Challenges Party To Present Program

Difficulty To Come At Beginning of Congress Jan 3, As Leaders Try To Satisfy Negro Faction In North With Accomplishments In Line With Brash Promises; Southern Element Resents Intentions of "Liberals"

Republicans at the beginning of the new year, 1959 laim they have more reason to rejoice over the outcome f the November congressional elections than have the Democrats.

Some are saying the chief reason which made the big ontributors to the GOP campaign chest to tighten their ourse strings, was a deliberate intention to let the Demorats exploit their claim that they, and not the Republicans vould best aid President Eisenhower with his progressive rogram of proposed legislation. In other words, it is stated hat the Democrats are too shot to pieces in factionalism ver to get together on what are the principles on which hey stand, to make a record of accomplishment worthy o satisfy the business interests and the Negro element of he population, who trust Democrats to be the more liberal" than Republicans.

Most "Promising" Party

Democrats always have been the "promising Party" of the nation. They will promise anything to get elected. The country periodically turns Democrats out of power because of their sorry record of achievement, after they get into office.

"Get rid of the mess in Washington" was the slogan used by the Republicans to thwart the attempt of the Democrats to capture the presidency in 1952, after the twenty long years of Democrat rulership the country experienced under Franklin D. Roosevelt and Harry Truman.

The masses of Negroes could not get it into their heads that Franklin Roosevelt was practically no kin to the great Theodore Roosevelt. They worshiped him. When he died the Negro politicians affiliated with the Democrats wanted Henry Wallace nominated to succeed Roosevelt. Instead they got Mr. Truman.

Many of the party leaders did not believe Truman had a chance to be elected in 1948. But as a reckless effort to stave off defeat, they nominated the "old war" horse, Senator Albem Barkley for Vice President and thereby created an "upside down" Democrat ticket in 1948.

It worked. or at least so the record shows. All signs in 1958 showed that Thomas E. Dewey was the preferred nominee for the presidency in 1938 and that the nationwide surveys which predicted Dewey a winner were accurate.

It is believed that something went ary to cause Dewey to be defeated on the face of the returns. There were others who felt that Old Guard Republicans planned Dewey's defeat and that the "job" was put over in three states of Ohio, Illinois and California, all three of which had been predicted to go Republican. The Old Guard wanted Senator Robert A. Taft as the party nominee in 1948 but could not get him nominated over the popular Tom Dewey.

Dewey who might have been nominated for the third time in 1952 took himself out of the running and accepted the job of putting the Old Guard out of business in 1958 when he appeared in person at the Chicago convention. Gen. Dwight D. Eisenhower became the 1952 nominee of the Republicans, with the brilliant battler against Communists and fellow travelers, Richard M. Nixon as nominee for Vice President.

Two Great Victories

Progressive Republicans scored one of their greatest victories in 1952, which was exceeded by what they did in 1956. Progressive Republicans it is not difficult to understand, had a part in letting a number of the Old Guard crowd get the licking they took in November of 1958 Congressional election.

All signs now point to the nomination and election of Mr. Nixon for president in 1960, against whom ever the Democrats will have as a nominee.

It will not be surprising if Mr. Nixon succeeds in carrying some Southern States in 1960, and at the same time recapture for the Republicans many of the votes of Negroes North and South who went Democrat in 1958.

Negro voters seem to be "independent" in local and area elections but adamant against the reactionary Southern element of the party.

It is the Democrats who are trying to name Nelson Rockefeller as the Republican nominee for President in 1960. They want him nominated to create confusion within the GOP ranks. But Mr. Rockefeller seems unwilling to get into a contest with Nixon.

He may wind up as the Republican nominee for Vice President on a ticket with Nixon.

Those who remember or have read what happened in 1900 know that in 1900 Theodore Roosevelt was governor of New York and was given the Vice Presidenttial nomination, along with William McKinley of Ohio the presidental nominee.

Ticket making politicians can see great value in having the nominee for President from California and the Vice President from New York

At present there seems to be little likeliwood of Northern Negroes being able to amass a total Democrat vote that will be decisive in the 1960 election. It did not show up as decisive in 1952 nor in 1956 when Eisenhower bowled the Democrats over so decisively despite the preference shown by Negroes for Adlai Stevenson as the popular polls showed.

What is likely to show up as a decisive election factor is the vote of Southerners. They may manage se t back for the Northern "liberals" by voting decisively for the Republicans. The best minds of the South increasingly are becoming unwilling to trust the Democrats with the presidency, for economic reasons.

If Negroes are accorded the right to vote Down South between now and the 1960 election, they too will likely line up for the Republicans. They will likely have the backing of their great leader the Rev. Martin Luther King and his Southwide following.

The right to vote and have votes counted as cast is a much bigger issue with Negroes down South than school integration on a token basis, which is the present status of desegregation all over the South.

The South belatedly has deciced to put into effect the reparate but equal decision the Supreme Court handed down in 1896. Southern leaders may get rid of their desegregation problem by providing for Negro children the amount and kind of education they were denied for the past sixty-two years.

All Came From GOP

Negroes who continually brag about being Democrats Up North seem not to reflect upon the fact that all they have ever gotten as a race of substantial benefit has come from Republicans in the nation.

Negroes have gotten what they call "liberal" treatment in Northern states, but thbey cannot point to a single instance where the liberals they brag about electing and sending to congress have used their power to unseat any of the reactionaires as the chairmen of committees that determine legislation nor have they voted to oust reactionaries such as Mr. Rayburn as House Speaker or Senator Lyndon Johnson as boss of the Democrat Senate majority.

Even the chance to agitate for school desegregation became possible not during the administration of FDR or Mr. Truman, but in the administration of Eisenhower, and after he had named the Republican governor of California, the Hon. Earl Warren, as Chief Justice of the United States.

Mr. Paul Butler knows this to be a fact, what disturbs him, very probably is the fear that Negroes of the North may start to thinking and turn Republican at the same time Southerners, called Dixiecrats begin thinking how much better it is forthe South as well as the North to have the Grand Old Party in charge ofthe government in Washington. D. C.

SUPREME COURT:

Trimming

The White House called it "the most hazardous" legislation before Congress, and the recent conservative trend of the U.S. Supreme Court vitiated the arguments for it. Nevertheless, 114 Republicans last week joined the Southern Democrats to pass—225 to 192—a bill to curb the powers of the Federal courts.

The embittered Southerners were striking at the Supreme Court for its school-integration decision. The Republicans were paying off a debt for Southern support of GOP budgetary legislation, under a bargain made last January.

The measure provides that Federal courts may not interpret an act of Congress as pre-empting a legislative field from the states, unless Congress specifically says so or there is a sharp conflict between a Federal act and a state law.

The bill's opponents, led by Attorney General William P. Rogers, argued vainly that its retroactive nature would swamp the courts with litigation. At the weekend it went to the Senate, where an identical measure lost by one vote last year. The outlook: It probably will die there again.

More Moderation: While the House was clipping the Supreme Court's wings, the Court itself continued on its moderate path of the last eight months (NEWSWEEK, June 22).

It upheld the Jencks Act of 1957, passed by Congress to clarify the Court's own Jencks' decision.

The intent of the Jencks' decision was simply to insure defendants the common-law right to impeach the testimony of witnesses when it was inconsistent with their pre-trial statements. But the language of the Court was so fuzzy that it caused a welter of lower-court interpretations, threatening to compromise all FBI files, and Congress quickly enacted specific regulations.

All nine Justices agreed that the challenge of the Jencks Act by a convicted tax evader was invalid. But Associate Justice William J. Brennan Jr., for the now-familiar liberal minority of four, wrote a separate concurring opinion in which he complained that Justice Felix Frankfurter's majority opinion ranged "far afield of the necessities of the case."

So deeply divided were the two factions in the new Court alignment that even when they were unanimous, they couldn't quite agree.

FAR CRY FROM SECOND APPOMATOX—

South Retains Strong Hold On Political Reins Of The Nation

IF WE CAN ASSUME that the South, as a political and social entity, subscribes to the old adage that it doesn't matter so much what they are saying about you as long as they are talking about you there should be no frustration in the fan on cotton.

The impact of that area south of the Mason-Dixon Line upon the nation has been a dominating factor in the development of America since the first stirrings of Western civilization along the Atlantic seaboard. And for over a century now writing epitaphs for Dixie has been a compulsive activity of Northern journalists and politicians. Thaddeus Stevens and his Republican Radicals thought they had it all figured out 90-odd years ago, but their philosophical and political heirs are still busy at the task of trying to write Dixie out of the nation's life.

THE 20TH CENTURY'S economic and industrial revolution promises to accomplish far more than the edicts of Congress or the Supreme Court in erosion of those unique characteristics which have set the South apart from the rest of the nation. But people, and we graciously include Paul Butler in that category, have no trouble today identifying the subject when the word South is mentioned.

As accustomed as the South has become to reading its own political obituaries, the turgid description of Little Rock as the South's political "Gettysburg" and the admission of Hawaii to statehood as its political "Appomattox" is somewhat startling. Fletcher Knebel, writing in the current issue of Look magazine, not noted for its admiration of the South, thus sets the headstone on the political influence of the South on the nation. Starting out with a set of convictions, Knebel, Washington Bureau chief for the magazine, works backward to prove them.

THE "EROSION of the South's traditional voting strength in both houses of Congress" by the admission of Alaska and Hawaii to statehood, the "Appomattox" of the South's political influence in Knebel's reasoning, loses its pungency when we remember that the admission of Kansas and Nebraska to statehood in 1861 and 1867, respectively, was celebrated in some areas as accomplishing that same purpose. As has the admission of every state since Florida and Texas joined the Union in 1845.

Interpreting the westernization, so-called, of U. S. Sen. Lyndon Johnson, as he builds his fences for a try at the 1960 Democratic presidential nomination, as another major milestone in the political decline of the South is putting a curious twist on that development. Johnson is from Texas, and Texas, never "Deep South," is still Dixie. And how long has it been since a man from Dixie could be considered as a serious contender for the presidential nomination? Well, Knebel's not old enough to remember.

Political decline? It looks like a rejuvenation if we are to take Lyndon Johnson as an example.

And what influence has been uppermost in the strong reaction, nationwide, against the legal interpretations by the Warren-dominated Supreme Court—a reaction whose pressures have of late put Justice Warren frequently in the minority and created a majority bloc of more tradition-minded justices? And what is the wellspring of the flood of criticism that has put the Supreme Court in a defensive role? If we said the South, it would be wrecking Knebel's thesis that Dixie's political influence is dead and buried. But could any other answer be factually accurate?

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1. Not since 1936, when the Democratic convention abolished the two-third rule, has the South or any other sizable political bloc been able to exert veto power on the selection of a Democratic presidential nominee. But Paul Butler's ravings and rantings are the finest tribute that the South could devise to its still potent influence in the national councils of the Democratic Party.

2. Heavy migration of the Negro to the North and West is an historical development that is having a tremendous impact upon the political and social structure of the nation. That is creating additional pressures upon the South for modifying some of the principles which have determined its way of life. It will also be reflected in the vote tallies in the House of Representatives after the next census, but to a more moderate degree than some anticipate. Further, the Negro migration is giving many in the North a new awareness of what it is the South long has been talking about.

As the nation has grown and developed, the South has maintained an unnaturally strong political influence upon the nation by shifting tactics and strategy to meet changing conditions. As always the Southerner is the master politician. Political frustrations? Look to the North, not the South for that. Knebel.—J. W. B.

The cat is out of the bag

(An Editorial)

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Mrs. Clare B. Williams, assistant chairman of the Republican National committee, let the GOP policy cat out of the bag Tuesday when she told a press conference that the Dixicrats would deflect to the Republicans because the GOP approach to civil rights was more in harmony with southern thinking.

This undoubtedly explains the weak utterances of President Eisenhower during the past several years and the soft-pedaling of Attorney General Rodgers, and it just might explain why the FBI has been so slow in its handling of the Mississippi lynching. Could it be that the administration doesn't want to rock the southern boat by having to prosecute a lynch mob before election time rolls around?

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"There is no evidence there will be any change in the GOP policy on civil rights," and added that while it is not all the Southerners want, they realize "it is closer to their hearts than what the Democrats are advocating."

Southerners realize also that "Mr. Paul Butler and friends have no intention of taking things slowly," she said.

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Only complete repudiation of Mrs. Williams both by word and deed will erase the idea that what she has revealed represents the studied policy of the Republican Party. No self-respecting colored voter can accept that. Mrs. Williams has read the colored voter out of the party.

How Senators Voted On Strauss

WASHINGTON. — (UPI) — Missouri's two Senators were among the 49 voting to reject the nomination of Lewis L. Strauss as Secretary of Commerce. The vote to

deny confirmation of the Eisenhow-
er appointment was 49 to 46.
Here is how the Senators voted:
Democrats for confirmation—(15)— Byrd of Va., Chavez, Dodd, Eastland, El-
lender, Gore, Holland, Kerr, Leu-
sche, McClellan, Pastore, Rob-
ertson, Russell, Stennis and Thur-
mond.
Republicans for—(31) — Aiken, Allott, Beall, Bennett, Bridges, Bush, Cutler, Capehart, Carlson,
Case of N.J., Cooper, Dirksen, Dworshak, Hayden, Hennings, Hill, Johnson of S.C., Jordan, Kefauver, Kennedy, Long, Magnuson, McNamara, Morse, Moss, Murray, Neuberger, O'Mahoney, Proxmire, Randolph, Symington, Sparkman, Williams of N.J., Young of Ohio.
Against confirmation—49
Democrats against—(47) — Anderson, Bartlett, Bible, Byrd of W. Va., Cannon, Church, Douglas, Engle, Ervin, Fulbright, Gore, Green, Hart, Hayden, Hennings, Hill, Humphrey, Jackson, Johnson of S.D., Kefauver, Kennedy, Long, McGee, Mahoney, Monroney, Moss, Muskie, Murray, Neuberger, Proxmire, Smathers, Sparkman, Symington, Talmadge, Williams of N.J., Young of N.D.
Republicans against—(2) — Langer, Smith.
Paired for confirmation—(2) — Hayden, Johnston of S.C., Kennedy, McGee, Monroney, Mundt, Prouty, Scott, Williams of Del.
Paired against— Mansfield (D).
(R). Paired against— Fulbright (D).
Absent and not announced—Young of Ohio.

FAR CRY FROM SECOND APPOMATOX—

South Retains Strong Hold On Political Reins Of The Nation

IF WE CAN ASSUME that the South, as a political and social entity, subscribes to the old adage that it doesn't matter so much what they are saying just as long as they are talking about you, there should be no frustration in the fair old cotton.

The impact of that area south of the Mason-Dixon Line upon the nation has been a dominating factor in the development of America since the first stirrings of Western civilization along the Atlantic seaboard. And for over a century now writing epitaphs for Dixie has been a compulsive activity of Northern journalists and politicians. Thaddeus Stevens and his Republican Radicals thought they had it all figured out 90-odd years ago, but their philosophical and political heirs are still busy at the task of trying to write Dixie out of the nation's life.

THE 20TH CENTURY'S economic and industrial revolution promises to accomplish far more than the edicts of Congress or the Supreme Court in erosion of those unique characteristics which have set the South apart from the rest of the nation. But people, and we graciously include Paul Butler in that category, have no trouble today identifying the subject when the word South is mentioned.

As accustomed as the South has become to reading its own political obituaries, the turgid description of Little Rock as the South's political "Gettysburg" and the admission of Hawaii to statehood as its political "Appomattox" is somewhat startling. Fletcher Knebel, writing in the current issue of Look magazine, not noted for its admiration of the South, thus sets the headstone on the political influence of the South on the nation. Starting out with a set of convictions, Knebel, Washington Bureau chief for the magazine, works backward to prove them.

THE "EROSION of the South's traditional voting strength in both houses of Congress" by the admission of Alaska and Hawaii to statehood, the "Appomattox" of the South's political influence in Knebel's reasoning, loses its pungency when we remember that the admission of Kansas and Nebraska to statehood in 1861 and 1867, respectively, was celebrated in some areas as accomplishing that same purpose. As has the admission of every state since Florida and Texas joined the Union in 1845.

Interpreting the westernization, so-called, of U. S. Sen. Lyndon Johnson, as he builds his fences for a try at the 1960 Democratic presidential nomination, as another major milestone in the political decline of the South is putting a curious twist on that development. Johnson is from Texas, and Texas, never "Deep South," is still Dixie. And how long has it been since a man from Dixie could be considered as a serious contender for the presidential nomination? Well, Knebel's not old enough to remember.

Political decline? It looks like a rejuvenation if we are to take Lyndon Johnson as an example.

And what influence has been uppermost in the strong reaction, nationwide, against the legal interpretations by the Warren-dominated Supreme Court—a reaction whose pressures have of late put Justice Warren frequently in the minority and created a majority bloc of more tradition-minded justices? And what is the wellspring of the flood of criticism that has put the Supreme Court in a defensive role? If we said the South, it would be wrecking Knebel's thesis that Dixie's political influence is dead and buried. But could any other answer be factually accurate?

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Move To Abolish Un-American Activities Committee Opposed

By EDDIE WILLIAMS

WASHINGTON — (SNS) House Speaker Sam Rayburn (D.-Texas) and a group of Republicans last week clashed on the congressional reigns in an attempt to halt a bill sponsored by Rep. James Roosevelt (D.-Calif.) to abolish the House Un-American Activities Committee and transfer its jurisdiction to the Judiciary Committee.

Rep. Roosevelt said his proposal is based on the charge that the congressional mandate of the nine-member standing committee is vague, thus allowing it to infringe on "constitutional guarantees of individual freedom."

Since introducing the bill, Mr. Roosevelt has stood alone in defending it, but some Capitol observers believe he has the silent backing of some one hundred or more Congressmen who at one time or another have voiced disapproval of the committee and who at present are afraid to speak out for fear of political consequences.

Political consequences are unavoidably tied up in any proposal to rid the nation of an organization or group constituted and dedicated to the suppression of communist activities. This is the avowed goal of HUAC.

HAND-OFF ATTITUDE

Despite the fact that the Roosevelt proposal specifically points out the need for investigation of subversion and says that the Judiciary Committee is best qualified to do this, there is still a general hands-off attitude toward the bill.

In all sections of the country sentiment over the proposal is gradually shaping up into two theories. One is that HUAC does more harm than good and the second is just the opposite.

Opposition to the proposal which is now in the hands of the powerful Rules Committee, has been voiced on the House floor by members of HUAC, including the committee chairman, Francis E. Walter (D., Pa.).

Earlier in the session Mr. Walter sought to expand the jurisdiction of his committee by having it take over matters concerning immigration. However, Speaker Rayburn quickly put an end to this idea with a flat "no." Some political observers feel this was a compromising "no." A few days later Mr. Rayburn gave his dreaded "kiss of death" to the Roosevelt proposal. It may have been that Rayburn promised Walter he would spare the life of his committee, providing he did not try to take over immigration matters.

Meanwhile, the bill is pending before the Rules Committee whose chairman, Rep. Howard Smith of Virginia, has "assured" Mr. Roosevelt that the measure will be considered. Rayburn warned that if the bill is not killed in the committee it will be defeated on the floor apparently under his generalship. He obviously spoke for a large segment of Democrats, and a strong GOP bloc spoke for itself in unanimously agreeing to oppose the bill.

SECURITY QUESTION

Regardless of the future of the proposal, it has raised some questions concerning the internal security program. They will have to be answered some time. The big questions are: Is the mandate of the committee so vague as to hamper its operation? and, Just what is the meaning of un-American?

The U.S. Supreme Court raised the latter question in its Watkins Decision which is cited by Roosevelt as a challenge to Congress to do something about HUAC. The decision also held that a "person is entitled to have knowledge of the subject to which the interrogation is deemed pertinent . . . . ." The committee says its questions are aimed at exposing communist infiltration and at providing it with a sound basis for proposing anti-subversive legislation.

Pending before the Supreme Court is the Barenblatt case which is similar to the Watkins case and which may throw more light on the court's interpretation of the committee's role.

Mr. Roosevelt, son of the late President Franklin D. Roosevelt, last week told his colleagues, "we cannot continue to ignore or evade the issue (raised by the court) without running the risk of doing great damage to the internal security of our country." He pointed out that the goal of his proposal is "a more effective internal security program aligned with the constitutional guarantees of individual freedom."

Asks House To Abolish Red Probe

James Roosevelt Calls for Action

WASHINGTON, Jan. 12 (UPI)—Rep. James Roosevelt, D., Calif., urged the House today to abolish its Committee on Un-American Activities. He was promptly accused of striking at national security.

Touching off a heated debate, Rep. Roosevelt said the Supreme Court had cast a "cloud of legal uncertainty" over the committee and its work should be transferred to the Judiciary Committee.

Rep. Gordon H. Scherer, R., Ohio, a member of the Committee on Un-American Activities, said Rep. Roosevelt's proposal would be the "death knell of our fight against the Communist conspiracy within the United States."

"Not Real Motives"

He said Rep. Roosevelt's announced motives were "not his real motives." Rep. Scherer said he would respect Rep. Roosevelt more if he had "come out and openly called for abolition of the committee . . . like the Communists and their apologists."

Rep. Scherer said "shocking" court decisions already had partly tied the committee's hands. But even so, he said, the committee has been able to continue its work and has uncovered material that would make the hair of any Congressman who still had any stand on end.

Rep. Roosevelt laughed wryly and rubbed his bald head.

Cites Court Decision

Rep. Echerer cited a 1957 court decision which he said put a "cloud of legal uncertainty" over work of the committee and added that a pending case could strike a new blo wat its authority.

The committee chairman, Rep. Francis E. Walter, D., Pa., snapped that that is just what Rep. Roosevelt "hopes" the court will do.

"Don't be too optimistic about it," Rep. Walter added, "—Not even with this court."

Rep. Frank T. Bow R., Ohio, joined in the complaints over Rep. Roosevelt's proposal. He claimed the court already has "gone too far" in "trying to tell Congress what to do."

Rep. Scherer, claiming that there are 2,000 potential saboteurs working in defense plants today, charged that the Roosevelt resolution was aimed "directly at this nation's Achilles heel."

Supreme Court Likely To Rule on Smith Act

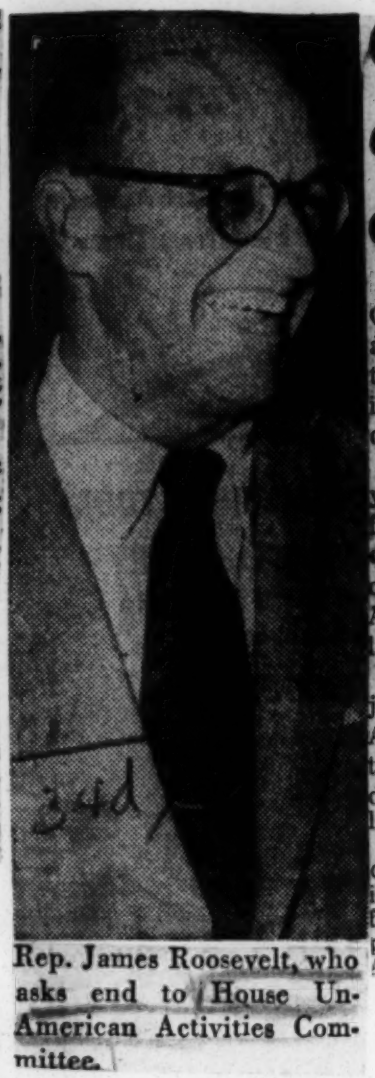
WASHINGTON, June 29 (UPI)—The Supreme Court is expected to shed light on its interpretation of the Smith anti-Communist law tomorrow in its final scheduled session of the 1958-59 term.

Other major rulings may be handed down in the fields of broadcast libel, movie censorship and security precautions designed to safeguard the nation's war plants.

The issues are among a dozen or so still awaiting action before the justices go on vacation until next Oct. 5.

Previous high court decisions have put restrictions on prosecutions under the Smith Act—The Government's major weapon against Communist leaders in this country. The statue makes it a crime to conspire to teach or advocate overthrow of the Government by force.

The pending case involves a section of the act that makes it illegal to be a member of an organization dedicated to the violent overthrow of the Government if the member is aware of this aim.



Rep. James Roosevelt, who asks end to House Un-American Activities Committee.

Carl Braden asks reversal of conviction

NEW ORLEANS — The U.S. Court of Appeals here has been asked to overturn the conviction of Carl Braden, southern integration worker, on a charge of contempt of Congress.

Braden was sentenced to a year in prison last February for refusing to answer certain questions put to him by a subcommittee of the House Un-American Committee in Atlanta in July, 1958.

Five distinguished attorneys joined in filing a brief in the Appeals Court charging that the committee did not call Braden before it for a bona fide legislative purpose.

"Instead," they declare, "the committee's purpose was to interfere with his rights of free speech, association and petition under the First Amendment to the Constitution.

'Black SOB' Session Recalled

Dixie Members Of House Group Duck Patterson

BY ALICE A. DUNNIGAN

WASHINGTON (ANP) — The House Committee on Un-American Activities cut short the discussion involving the issuance of passports to alleged Communists, Wednesday, after several flare-ups between committee members and William L. Patterson.

• **Patterson's passport was recalled by the Department of State in July, 1952, after he was reported as having made several anti-American speeches in foreign countries.**

He was recently issued a new passport, following the Supreme Court ruling that the State Department has no right to prohibit one from traveling freely because of his political beliefs.

■

PATTERSON, FORMER executive secretary of the Civil Rights Congress, was questioned by Richard Arens, chief counsel for the committee, on why he failed to answer questions on whether he was a member of the Communist party on his passport application filed in December, 1958.

Under the ruling of the Supreme Court, it is not in the province of the State Department to ask whether an applicant is a Democrat, a Republican, a Socialist, or what have you, Patterson.

• **"Were you a member of the Communist party when you made the application?" asked Arens.**

• **"That is not in your province, Mr. Staff Member, to ask that question," emphasized Patterson.**

Patterson made several attempts to bring the racial issue into the hearings, only to be cut off each time by either the counsel in charge of questioning or by the committee chairman, Francis Walter.

■

PATTERSON WAS asked if he spoke out against America during his visit to Hungary around 1948.

• **"I made many addresses and many radio appearances," said the witness, "and I talked about the injustices done to my people in the South which this committee has not seen cause to investigate."**

Arens asked if the United Press was correct in quoting him as calling the United States a "criminal government."

• **"The United Press distorted and still distorts reports of those who fight for Negroes' rights," snapped Patterson. "Is freedom of speech being denied those exercising their constitutional rights to fight for human dignity?"**

He claimed that he was not attacking the United States but was attacking jim crow practiced in this country and violations of the constitutional rights of Negroes.

■

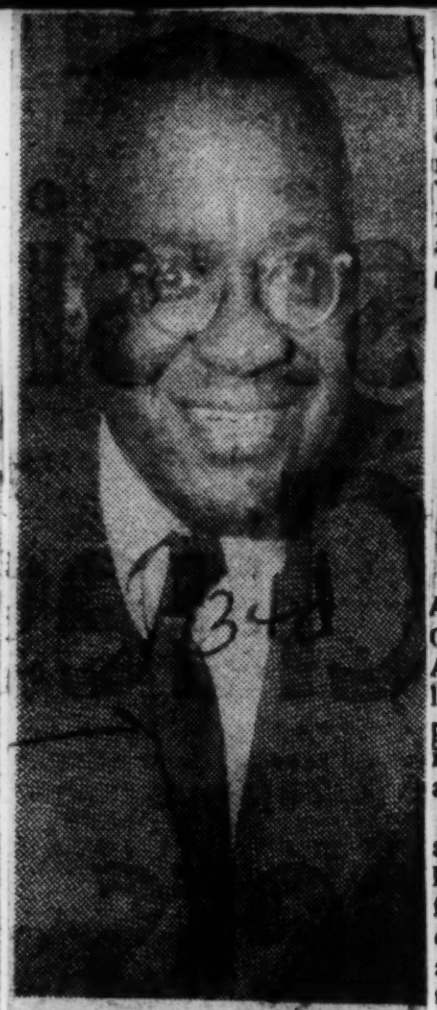
WHEN QLESTIONED on why he was deported from Canada in 1948, Patterson replied that a man is always charged with attempting to overthrow a government if he fights for his rights. Canada took this action, he added, under pressure from the U. S. Government.

• **Walter invoked laughter when he snapped: "You don't think the United States Government was fighting to bring you back here, do you?"**

The hearing was brought to an abrupt close after Patterson consistently declined to say whether he is or ever has been a member of the Communist party.

■

PRIOR TO THE hearing, Patterson had sent a letter to Chairman Walter charging that the White Citizens Council is a subversive organization which has continued to defy the Supreme Court decision and that Senators Talmadge and Eastland and Governor Faubus had been guilty of subversive conduct by violating the constitutional rights of Negroes.



WILLIAM L. PATTERSON
. . . the hearing was cut short

The Senators have used the Congressional Record as a medium through which to issue their racist filth and contempt for the Supreme Court decision.

It seems inconceivable, wrote Patterson, that this committee has not moved against the Ku Klux Klan, the WCC, or individual terrorists whose "fulmination and white supremacy tirades have provoked innumerable murderous assaults upon Negro citizens."

■

IT MIGHT BE recalled that Patterson's constant reference to the treatment of Negroes in the South before this same committee several years ago resulted in a physical attack upon him by a Georgia member of the committee.

• **The Congressman became so irritated that he called the witness a "black s.o.b." and charged at him. He was restrained by Capitol police.**

A reoccurrence of this type of incident was avoided this time by the absence of any Southerner from the hearing. Only three members attended, Congressman Walter of Pennsylvania and Representatives Clyde Doyle and Donald L. Jackson, both of California.

Tells Of Reds' Bait For Minority Races

LOS ANGELES—(UPI)— Mrs. Adele Kronick Silva of Oakland, Calif., testified before a House un-American activities subcommittee last week that cocktail parties, expensive shows and "high living" made up part of Communist party activity as she knew it.

Mrs. Silva was the third woman in as many days to testify about her work as an undercover agent for the FBI. She said she became curious while in Hawaii in 1948 about possible Communist infiltration in a longshoreman's union.

She said she joined the organization wnen she came to the mainland, after contacting the FBI and volunteering her services. She said she became associated with the Theodore Dreiser club which covered the Beverly Hills-Hollywood-Wilshire area.

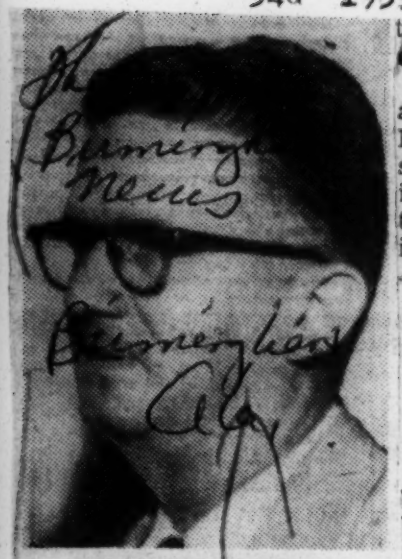
MINORITY RACES

The "high living" was part of her program, she said. Mrs. Silva told the subcommittee she was instructed to "play on the sympathies of minority races to get them to join the party."

Earlier, Harper Poulson, 46, Venice, Calif., related how he quit the party in January, 1957. He said he was an unwilling witness, but intended to answer all questions.

"I do not intend to refer to any individuals with whom I was connected in Communism," he said.

"I left the organization when I had come to the conclusion that I could no longer agree with the conduct and some of the objectives of Communism in the United States," said Poulson. "Many other Communists felt the same way, but they could not make their views plain within the organization."



CARL BRADEN
. . . Conviction upheld

Court upholds conviction in Braden case

NEW ORLEANS, Dec. 14 (AP)—A federal appeals court today upheld the contempt of Congress conviction of Carl Braden, field secretary of Southern Conference Fund, who refused to answer the questions of a congressional subcommittee.

Braden was convicted on six counts of contempt for his refusal to answer the questions of a House subcommittee, particularly when asked if he were a member of the Communist Party.

At the time of his appearance before the subcommittee in Atlanta, Braden told the committee his beliefs and associations were none of the subcommittee's business.

The Fifth Circuit Court of Appeals today affirmed the conviction and sentence with Judges Joseph C. Hutcheson Jr., Ben F. Cameron and Warren L. Jones holding they "do not find any error in the judgment and sentence or in the proceedings culminating therein."

BEFORE THE subcommittee, Braden identified the Southern Conference Fund as "a Southwide interracial organization working to bring about integration, justice and decency in the South."

He also identified himself as associate editor of the Southern Patriot, a newspaper which he said "disseminates information on integration in the South and about the people who are working for integration."

Braden also refused to answer questions asking if he had anything to do with the Southern Newsletter, a publication printed in Chicago, sent to a postoffice box in Louisville, Ky., and then mailed throughout the South.

Braden contended the questions were not pertinent, but the district court ruled they were and so instructed the jury.

The circuit court cited a ruling of the Supreme Court giving such subcommittees investigating Communist activities authority to conduct such inquiries.

Braden Loses His Appeal In Contempt

U. S. Court In Atlanta Upholds Year's Term

New Orleans, Dec. 14 (AP)—A federal appeals court Monday upheld the contempt-of-Congress conviction of Carl Braden, Louisville, field secretary of the Southern Conference Fund, who refused to answer the questions of a House subcommittee.

Braden was convicted on six counts of contempt. One involved his refusal to answer when asked if he was a member of the Communist Party.

At his appearance in July, 1958, before the subcommittee in Atlanta, Braden said his beliefs and associations were none of the committee's business.

Convicted Last January

He was convicted last January in Federal District Court in Atlanta and given a one-year sentenced.

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34d 1959

UN-AMERICAN ACTIVITIES COMMITTEE

MR. CARL BRADEN, LOUISVILLE, KY.
SENTENCED-12 Months
For-CONTEMPT OF CONGRESS

Integration Backer Gets Year's Term

ATLANTA, Feb. 2 (AP) — Carl Braden, Louisville, Ky., integration advocate, was sentenced today to 12 months for contempt of Congress.

The contempt charge was made after Braden refused to answer questions of a House Un-American Activities subcommittee here last July. Braden was convicted in U. S. District Court here Jan. 21.

Federal Judge Boyd Sloan set Braden's bond at $1,000 pending a motion by his attorney for a new trial.

Frank Wilkinson of Los Angeles was given a similar sentence for contempt of the committee. He is secretary of the Citizens Committee to Preserve American Freedom.

Braden is field secretary for the Southern Conference Educational Fund. He accused the committee of using its position to harass people working for integration.

Demo Committee Discards Oath In Hectic Meet

2 Loyalists Given Nod In Elections

By BOB INGRAM
Advertiser Staff Writer

BIRMINGHAM — The State Democratic Executive Committee scrapped the controversial loyalty oath here Friday in a bizarre meeting which had all the ingredients of a comic opera.

In addition to repealing the oath, which had been expected, the committee also elected loyalists George Lewis Bailes and Hobby Rains as vice chairman and secretary, respectively, of the committee. As these two men had the full support of Gov. John Patterson, their election had also been expected.

But it was not what the committee did which created the stir, but how the committee did it.

DISORGANIZED STAMPEDE

From the opening gong at 10 a.m. to the gaveled adjournment at 1:15 p.m. the meeting was a disorganized stampede. Not once was bewildered Chairman Sam Engelhardt able to get a semblance of order.

The opposing factions—the loyalist on one side, the anti-loyalist on the other—took turns jeering, booing and heckling each other.

It made little matter who might have the floor, if a committee member felt like challenging what was being said he did so.

In fact the meeting was so long and tense that there was but mild objection when Engelhardt declared the meeting adjourned after a voice vote which quite clearly indicated a majority opposed adjournment.

BOTH SIDES HAPPY

Actually both sides went home happy. The loyalists had succeeded in electing their candidates to the two committee offices while the anti-loyalists had finally succeeded in killing the loyalty oath.

But the victory for the anti-loyalists may have been a shallow one. The resolution repealing the oath specified that it might be reinstated by a majority vote next January when the committee meets to set qualifications for the 1960 primary.

That there is now no oath is of little consequence as there are no party primaries scheduled this year. The oath is significant only when it applies to presidential elections, and if the loyalist can successfully reimpose the oath next January then the anti-loyalist will be right back where they started.

SMOOTH AND EASY

The election of Bailes and Rains over the opposition candidates of H. Coleman Long of Uniontown and R. H. (Dick) Monk of Anniston was smooth and easy.

Bailes won by a margin of 38-32. Rains whipped Monk 39-32.

While there had been no doubt as to the outcome, the loyalists were assured of victory when two Third District committeemen previously pledged to the anti-loyalist candidates switched their votes.

They were Dan R. Morgan of Dothan and Hugh Kirkland of Newville. Both men nad participated in the anti-loyalist caucus last September, and both had supported Frank Mizell for chairman in January in the election won by Engelhardt.

Other than the last-minute switches of Kirkland and Morgan the voting for the two offices Friday was identical with that in the chairmanship race. Chairman Engelhardt voted for the loyalist candidates although Long had claimed last week that the chairman had promised to support him.

The badly split anti-loyalist group finally got back together when a vote was taken on the resolution to kill the loyalty oath.

45-25 MARGIN

All 40 of the committee members who were elected on a pledge to repeal the oath—Engelhardt included—voted for the resolution offered by Mizell.

And they were joined by five other loyalists, which gave the resolution a 45-25 margin.

Bailes, the new vice chairman, offered a repealer of his own but it was rejected by the committee in favor of Mizell's more strongly worded proposal.

The major difference in the two repealers was that Mizell's set out to free Alabama's presidential electors from ties with the national party for four years—through 1963. Bailes' proposal involved only 1959 and made no specific reference to electors, which is the most important part of the oath.

Mizell's plan also specified that the oath could not be reinstated unless so ordered by a two-thirds majority of the committee, but this section was stricken from the resolution on the grounds that it violated committee rules.

NEW RULES

The one item of business that was never transacted was the adoption of new committee rules. For a confused 15 minutes the two groups tried to reach an agreement without success and it was then that Engelhardt hastily adjourned the meeting.

Engelhardt did agree to appoint a four-man committee to draw up new rules which would be adopted at a committee meeting in June.

Engelhardt agreed that Mizell and M. Alston Keith of Selma, both anti-loyalist, would serve on the committee as would Bailes. He said he would name the fourth member later.

Of the many speakers who took

COUNCIL PARADERS

Governor, Engelhardt Denounced In Placards

By DON McKEE
Advertiser State Editor

BIRMINGHAM — Sign-carrying Citizens Council members interrupted a meeting of the State Democratic Executive Committee here Friday when they paraded into the assembly room.

The signs, carried by Jefferson County Citizens Council members, denounced Gov. John Patterson and committee chairman Sam Engelhardt.

"John Patterson, Sam Engelhardt and their five little Judases sold out the people of Alabama," one placard proclaimed.

"The people voted for Freedom but the governor and his Washington cohorts want to shackle them again to the Negro worshipping Northern politicians," another read.

The signs also carried the phrase "Down with Quisling Oaths," and obviously had reference to the loyalty oath which the committee killed Friday.

Engelhardt, leader in the Citizens Council movement in Alabama, was named chairman of the group in January in a coup by loyalists and Patterson supporters. Men recommended by Patterson were elected vice chairman and secretary at the Friday meeting—although 39 committee members including Engelhardt had pledged to support other members for the offices.

After the committee meeting opened, the "pickets" walked into the room and took positions behind the committee members.

OFFERED MOTION

Member J. E. Brantley of Banks offered a motion to Chairman Engelhardt that "the hall be cleared of placards." Moments later, however, he withdrew his motion with the observation:

"Most likely they are nothing but publicity seekers and crackpots."

Engelhardt said, "I think they ought to take one walk around the room and let everybody see them."

The sign bearers willingly obliged and took pains to shake their placards in Engelhardt's face as they walked by the rostrum. Then a motion was made by W. W. Malone of Athens to "throw them out."

". . . YOU LET HIM . . ."

Malone was answered by one of the intruders who said, "I make a motion you let him throw me out."

Offering paper crosses with the word, "Crucified" on them at the door were two women, identified as Mrs. Maude Smith and Mrs. Fred Short.

Leader of the group was Fred Short Sr., chairman of the Jefferson County Citizens Council and editor of the Steel City News. He said the picketing was his idea.

Joining Short in the demonstration were his wife and son, L. L. Davis, Jack Dean and T. E. Blanton.

Shortly after the meeting opened, the demonstrators took their signs and stole away.

PLACARDS DENOUNCE OFFICIALS

Two members of the Jefferson County Citizens Council display signs they carried in a demonstration Friday at a Birmingham meeting of the state Democratic Executive Committee. The placards attacked committee chairman Sam Engelhardt and Gov. John Patterson.

LOSER CONGRATULATES NEW VICE CHAIRMAN
George Bailes, L, Gets Handshake From Coleman Long

Text Of Loyalty Oath Repealer

Following is the text of Frank J. Mizell's loyalty oath proposal which was approved 4-3 by the Alabama Democratic State Committee yesterday.

Whereas, the Democratic Party of Alabama recognizes that certain radical Northern persons and politicians who travel under the banner of the Democratic Party have deliberately affronted, ridiculed and scorned the Democrats of Alabama and the South, even to the extent of suggesting that we bend a supplicant knee to their demagogic demands or else leave our party, which party they have in fact deserted by departure from the time-honored democratic principles of personal freedoms, local autonomy and States rights; and

Whereas, it is our object to restore, through the medium of our democratic organizations, those principles of constitutional government and States Rights which were so long the foundation of Democratic political beliefs; and

Whereas, it is manifestly impossible to accomplish such objectives by being politically handcuffed to these Northern Democratic demagogs who are the darlings of the NAACP, and by blindly accepting their leadership and dictation; and

* * *

WHEREAS, A MAJORITY of this committee were elected upon their individual and collective campaign promises to eliminate the provisions in the Alabama Democratic Party primary election procedure commonly referred to as the Nationalist Loyalty Oath, and by means of which we have been nothing but shackled hostages to the aforesaid anti-South radical Democrats; and

Whereas, although there are no regular Democratic primary elections scheduled to be held in Alabama during the remainder of this year, it is, however, the desire and will of this committee to let the Democrats of Alabama and the South know, and also to hereby notify the aforementioned Northern elements, that Alabama Democrats will not remain hostages bound to the political overlords who are hostile to the rights and traditions of the South and to the historical democratic belief in self-government and States Rights:

Therefore, be it resolved by the State Democratic Executive Committee of Alabama on this March 20, 1959 as follows:

1. That in all primary elections to be held under the auspices of the Democratic Party of Alabama, in which delegates to the national convention of state Democratic parties are elected and in which candidates for presidential elector are nominated, that no requirements shall be made either of candidates or voters that they pledge themselves to support the nominees of such national convention, although they may do so should they so desire; but, however that they should be required to pledge themselves to support the nominees of the Alabama Democratic Party and its primaries in which they participate.

* * *

2. THAT IS THE FIXING of criteria and requirements of eligibility for candidates and voters for their participation in Alabama Democratic primary elections to be held for, or during the years 1959, 1960, 1961 and 1962 that there shall be no provision which would declare or make candidates or voters ineligible to participate in said primaries because any such candidate or voters failed or refused to aid and support or to vote for the nominees of the National Democratic Convention at any general election held prior to any of said respective Alabama Democratic primary elections.

3. That this resolution and its provisions may not be rescinded or changed except by a vote of the entire state committee.

4. That sufficient copies of this resolution be prepared and distributed by the secretary to:

(A) each member of the Alabama delegation in the United States Congress;

(B) The chairman of the Democratic National Committee;

(C) The chairman of the central or state executive Democratic committee of the following states: Florida, Georgia, South Carolina, North Carolina, Virginia, Kentucky, Tennessee, Mississippi, Louisiana, Texas, Arkansas, Oklahoma and Alaska.

Adopted this 20th day of March, 1959.

High Priority Goal in 'Human Rights' Report

New GOP Strategy: End Segregation in Public Places

The Republican Party's Committee on Program and Progress has just released the results of some long, top-level party thinking on aims and objectives. Touching on such diverse subjects as segregation, medical research and mortgage credit, here is a resume of that report.

WASHINGTON —(AP)— Republicans called Saturday for the complete elimination of racial segregation in public places. They set this as a high priority goal requiring a cooperative effort by government at all levels.

In a wide-ranging report on "Human rights and needs," a task force of the Republican Committee on Program and Progress also recommended that the nation:

1—Increase its current public and private expenditures of 20 billion dollars annually on education to 50 billion by 1976.

2—Expand the flow of mortgage credits for housing and try to find ways to finance an increasing number of trade-ins of older homes.

3—Boost national medical research spending to a billion dollars yearly by 1965, with the government bearing half the cost.

4—Make pensions and seniority rights transferrable so that union members and management executives could change jobs if they chose.

5—Reshape welfare services and strengthen public assistance program "so as to provide help for any person who is hungry, homeless, disabled or sick, while at the same time preventing a further increase in the federal share of support . . ."

6—Provide for the rehabilitation of 90,000 disabled persons next year in a continuously accelerating program.

The report, one of a series being published by a 44-member committee headed by Charles H. Percy of Chicago, was written by a task force captained by Miss Bertha Adkins, undersecretary of health, education and welfare.

In its discussion of the politically touchy civil rights issue, the task force avoided specific recommendations for new legislation. Another civil rights battle is expected to explode in the Senate by mid-February.

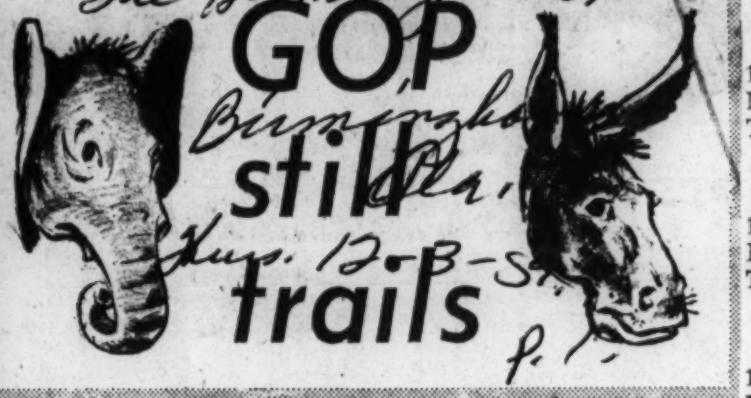
The GOP report called for "vigorous programs to be developed to make effective for all members of minority groups equality of opportunity to compete for jobs and upgrading on the job, to receive the best in education and obtain health service and financing."

"We look forward to the day when segregation is completely eliminated in public places," the Republicans said. "This goal is one of high priority. To achieve it a cooperative effort by government is needed at all levels. The federal government must never allow the peaceful and orderly transition that must take place to lag."

The report called for "effective action to deal with persons who use force or threats of force to obstruct court orders in school desegregation cases," among other recommendations.

In education, the Republicans recommended matching federal grants for elementary and secondary school construction "where need is demonstrated and local resources are clearly inadequate." But they said such grants should be made on a yearly installment basis to keep within the bounds of a balanced budget.

The political picture today—



BY GEORGE GALLUP

Director, American Institute of Public Opinion

This is the first of two special stories to bring Birmingham readers up to date on the current political score.

PRINCETON, N. J., Dec. 3—An analysis of the political picture across America today—as determined by Gallup Poll surveys of voter sentiment—reveals the following:

The GOP outlook for 1960 is bright at the moment—but only when considered purely in terms of candidate strength. At the level of basic party strength, the Democrats continue in a position of dominance.

GALLUP

Despite small Republican gains in the race for Congress, the GOP is still the "minority party" in U. S. politics. The Republicans have a long way to go before hoping to challenge seriously Democratic control of the House of Representatives.

After a year in which the GOP's basic strength nationwide sunk to the lowest point in this century, the recent small upturn in their congressional vote means only that they are back to the "underdog" position they were in at the time of their defeat in the November, 1958, election.

The Gallup Poll assigned its corps of reporters to ask this question of a cross-section of U. S. voters:

"IF THE ELECTIONS for Congress were being held today, which party would you like to see win in this state—the Democratic Party or the Republican Party?"

This has been the trend since August:

Congressional barometer

	Today	Sept.	Aug.
	%	%	%
Democratic	57	58	59
Republican	43	42	41

Behind the upswing to the Republicans is the fact that the GOP is beginning to win back some of their voters who had "strayed from the fold" during the last few years.

In two traditionally Republican groups—the nation's business and professional people and white-collar workers—there has been a swing back to the GOP after a "defection" of sizable proportions to the Democrats starting in 1958.

To win an election, however, the Republicans must count on the support of more than just these two groups, who make up only a minority of the U. S. electorate.

Gallup Poll reporters asked voters which of the two major parties they felt looked out best for people in their own occupation group. Here is a comparison of the vote recorded on this question since 1958. It is based on the voter's own classification as to occupation, that is, only farmers were asked which party is best for farmers, only business and professional people about the party best for them, and so on:

Party for business, professional people

	REP. BEST	DEM. BEST	NO DIFF.	NO OPIN.
	%	%	%	%
1959	49	22	19	10
May, 1959	40	32	10	18
Today	58	15	14	13

White-collar

	%	%	%	%
1958	34	31	20	15
May, 1959	29	40	15	16
Today	34	32	23	11

Farmers

	%	%	%	%
1958	15	62	14	9
May, 1959	20	56	16	8
Today	20	54	17	9

Skilled workers

	%	%	%	%
1958	16	54	14	16
May, 1959	18	56	11	15
Today	16	50	16	18

Unskilled workers

	%	%	%	%
1958	12	53	13	22
May, 1959	11	53	13	23
Today	15	54	14	17

IN LAYING their strategy for next year's election campaign, Republican leaders wil lhave to face one simple fact of electoral arithmetic—the GOP is the minority party in U. S. politics today.

If every citizen of voting age were required to register this week, either as a Republican or a Democrat, the Democrats would outnumber GOP adherents by nearly 19 million voters.

Based on an estimated total of 102,300,000 civilian citizens of voting age, here is the way a nationwide re-registration of all voters would line up:

Re-registration

Democrats	56,200,000
Republicans	37,600,000
Undecided	8,500,000

If they hope to achieve victory in 1960, the choice before the Republican high command is (1) to find a candidate whose appeal—like President Eisenhower's—is not limited to just Republican voters, or (2) to somehow convince a great many more voters that the GOP has their best interests at heart.

The strength of leading candidate possibilities for both the Republican and Democratic parties will be reported tomorrow in The News.—(c)

Integration Placed Atop GOP Goals

High Priority Put On Efforts To End Public Segregation

WASHINGTON (AP) — Republicans called Saturday for the elimination of racial segregation in public places. They set this as a high priority goal requiring a cooperative effort by government at all levels.

In a wide-ranging report on "Human Rights and Needs," a task force of the Republican committee on program and progress also recommended that the nation:

1. Increase its current public and private expenditures of 20 billion dollars annually on education to 50 billion by 1976.

2. Expand the flow of mortgage credits for housing and try to find ways to finance an increasing number of trade-ins of older homes.

MEDICAL RESEARCH

3. Boost national medical research spending to a billion dollars yearly by 1965, with the government bearing half the cost.

4. Make pensions and seniority rights transferrable so that union members and management executives could change jobs if they chose.

5. Reshape welfare services and strengthen public assistance program "so as to provide help for any person who is hungry, homeless, disabled or sick, while at the same time preventing a further increase in the federal share of support...."

6. Provide for the rehabilitation of 90,000 disabled persons next year in a continuously accelerating program.

ONE OF SERIES

The report, one of a series being published by a 44-member committee headed by Charles H. [illegible]cy of Chicago, was written by a task force captained by Miss Bertha Adkins, undersecretary of Health, Education and Welfare.

In its discussion of civil rights, the task force avoided specific recommendations for new legislation. Another civil rights battle is expected to explode in the Senate by mid-February.

The GOP report called for "vigorous programs to be developed to make effective for all members of minority groups equality of opportunity to compete for jobs an upgrading on the job, to receive the best in education and obtain health service and financing."

'HIGH PRIORITY'

"We look forward to the day when segregation is completely eliminated in public places," the Republicans said. "This goal is one of high priority. To achieve it a cooperative effort by government is needed at all levels. The federal government must never allow the peaceful and orderly transition that must take place to lag."

34d 1959

REPUBLICAN

GOP calls for full integration as major goal

BY JACK BELL

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2. Expand the flow of mortgage credits for housing and try to find ways to finance an increasing number of trade-ins of older homes.

3. Boost national medical research spending to $1 billion yearly by 1965, with the government bearing half the cost.

Transfer pension rights

4. MAKE PENSIONS and seniority rights transferable so union members and management executives could change jobs if they choose.

5. Reshape welfare services and strengthen public assistante programs "so as to provide help for any person who is hungry, homeless, disabled or sick, while at the same time preventing a further increase in the federal share of support. . . ."

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IN EDUCATION, the Republicans recommended matching federal grants for elementary and secondary school construction "where need is demonstrated and local resources are clearly inadequate." But they said such grants should be made on a yearly installment basis to keep within the bounds of a balanced budget.

The task force estimated that by 1976—the 200th anniversary of the signing of the Declaration of Independence—the nation will need 600,000 additional public school classrooms and as many as a half-million more teachers. It said that in 17 years there will be 76 million Americans of school and college age.

Of these it said 12 million will be seeking a college education, compared with three million today. For that reason, the report said, "we must at least treble the capacity of our colleges and universities and train many thousands of additional instructors."

Further Mixing Urged By GOP

Report Calls For Complete End To Segregation In Public Places

By The Associated Press

WASHINGTON, Oct. 10. — Republicans called Saturday for the complete elimination of racial segregation in public places. They set this as a high priority goal requiring a co-operative effort by Government at all levels.

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Aid For Minorities

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MISSISSIPPI REPUBLICAN PARTY
WIRT A. YERGER, JR. (1959
MR. PERRY W. HOWARD, (1928 -

34d 1959 REPUBLICAN

YERGER NAMED MISS. GOP BOSS

Howard Loses Post as Committee Acts

By EDGAR POE
(Times-Picayune Staff Correspondent)

WASHINGTON—Wirt A. Yerger, Jr., chairman of the state executive committee of the Mississippi Republican party, Monday had become the quarterback for Mississippi Republi-

Yerger, 29-year-old Jackson businessman, finally became in effect the chief spokesman for Mississippi Republicans over Perry W. Howard, as a result of action taken Saturday at Chicago by the Republican National Committee.

Howard, long-time Negro attorney in Washington, but a voter of Hinds county, Miss., and his so called Black and Tan organization had been recognized by the Republican National convention as the official Republican Party in Mississippi since 1928.

It had been a GOP party convention headache for years.

The Republican national committee, meeting in Chicago over the week end, amended its rules to provide that the call for the Republican convention be dispatched through the chairman of the state committee, if the chairman is a member of the national committee.

FAR REACHING EFFECT

On the face of it, the Chicago rule change was a perfunctory action, but it has far reaching political ramifications as far as Mississippi Republicans are concerned.

Nevertheless Howard and Edna Redmond, Negro, will be recognized as national committeeman and committeewoman respectively, at the 1960 Republican national convention or until a new committeeman and committeewoman are elected.

The name of the state of Mississippi was not mentioned in the rule change, nor were the names of either Yerger or Howard mentioned before the unanimous action was taken, it was learned in Washington Monday.

Republicans attending the meeting said "unquestionably each member of the national committee present in Chicago was aware of the impact the rule change would have down in Mississippi. They realized that Perry Howard was "losing his previous authority." The informant, who declined use of his name, said the rule change possibly would have affected one or two other states this coming year.

By permitting a convention call to be received by Yerger it assertedly means that Yerger will act in setting up the party machinery preliminary to the national convention when the nominees for the presidency and vice-presidency of the United States will be made in July.

DISPUTES STAND

However, Howard disputed this contention Monday night in Washington.

The attorney said that the rule change permitting a copy of the call to go to Yerger would result in "the same old fight all over again," at the Chicago convention.

Howard said that upon receiving his call for the convention he proposed to follow previous steps in setting up the party machinery for Mississippi.

At the same time Howard disclosed that the Eisenhower administration apparently favors Yerger and his group over the organization headed by Howard. Howard said that the White House has been recognizing Yerger and his associates in connection with patronage matters for Mississippi for several years.

Previously every convention since Howard and his group have been recognized Howard has received the call and set up the party machinery for the national convention.

As a result of the unanimous action taken at Chicago, Republican circles in Washington expressed doubt that Howard would attempt to challenge Yerger's authority at the forthcoming convention.

Under the leadership of Yerger the Republican organization in Mississippi this year created some marked interest in a few counties where GOP candidates challenged Democratic nominees.

Yerger, and the Mississippi Republican Party, have maintained for several years that Howard organization was "an absentee organization" directed from Howard's law office in the District of Columbia. They have contended that Mississippi would never be able to build a two-party system unless there was an aggressive organization set up in the state and directed by responsible persons on the scene.

In addition to Jackson there are growing Republican groups in Pascagoula, Natchez, Meridian, and some Mississippi Delta communities.

Howard is the only Negro national committeeman in either major party. His authority over Mississippi Republican affairs has been challenged at each GOP convention since 1924 by former Nebraska Gov. George Sheldon, and other Republican Mississippians. Sheldon moved from Mississippi to Nebraska many years ago.

Spartanburg Pastor Top Man In South Carolina Political Plan

SPARTANBURG, S. C.—The Rev. I. DeQuincey Newman, 47, aggressive pastor of Silver Hill Methodist Church here, is a key leader in South Carolina politics for two reasons, both in spite of the fact that he is a Republican and thus aligned with the minority party in the state. He got in politics in 1944 helping the fight against the white primary.

The Rev. Mr. Newman works actively in registration and voting of Negroes and in elections and he is also the recently elected president of the South Carolina Conference of NAACP branches.

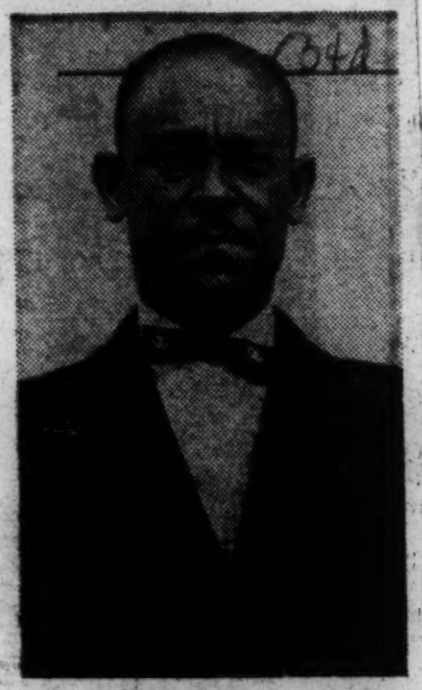
He was a leader of the South Carolina Negro delegation to the GOP national convention in San Francisco in 1956. Yet the energetic minister has never regarded himself as a leader, but rather as a worker.

With his greatest interest having been in voter-registration, he is now stepping up that interest as head of the NAACP, by having set up a statewide voter registration program as the No. 1 item on his agenda.

A working minister himself, the Rev. Mr. Newman feels that too few ministers are active in the field, beyond making an announcement in church or saying a word about it "We are going to have to encourage our ministers to work," he says. To that end he has set up a church committee in the state NAACP.

He believes in intelligent leadership and regards teachers as no longer a source of leadership due to threats of economic reprisals against them. He is very optimistic over prospects for Negroes in the state, but admits he has a big job ahead. In some sections registration boards which once were cooperative are no longer that way, in the new charged segregation atmosphere.

Why is he Republican?



REV. T. DEQUINCEY NEWMAN
S. C. head, NAACP

"Some Negro leadership should be in the Republican party," he says, although he is not a fanatic on party. Out of 70,000 GOP votes cast in the 1956 elecetion, he feels that 40,000 were Negro votes.

He decries the "Dark Corner" of S. C.—McCormick County—where no Negroes are registered.. They have been thoroughly intimidated, he thinks.

In Spartanburg, out of 17,000 potential Negro voters, only 3,000 have registered, he points out, and charges this to lagging on the part of Negroes. He plans to do something about it through the NAACP, with help from voter organizations in the state.

Born at Hartsville, S. C., educated at Claflin, Clark College and Gammon, he is married, has one son and no political ambitions for himself, but for others. He started preaching in 1936—TWA.

NEGRO LEADERS BACK NIXON IN MAGAZINE POLL

Split Democrat Votes Among 7 Men

BY WALTER TROHAN
[Chicago Tribune Press Service]

Washington, Aug. 12—Vice President Nixon is the overwhelming choice of American Negroes for the Republican nomination for the Presidency, according to the first nation-wide poll taken by Jet magazine, a publication for Negroes.

On the Democratic side former Gov. Adlai E. Stevenson of Illinois, twice defeated Democratic candidate, and Sen. Hubert H. Humphrey [D., Min.], supporter of strong civil rights legislation, were neck and neck, but far below a majority.

Polls Negro Leaders

The weekly magazine, which has a circulation of 750,000, polled 855 Negro leaders in 22 states. Of these 200 were prominently identified with the Republican party and 200 more with the Democratic party. The remaining 455 were outstanding spokesmen in education, business, religion, and civil affairs.

Of the Republicans, among the 855 Negroes polled, 81.7 per cent said they prefer Nixon for President to 18.3 per cent for Gov. Nelson A. Rockefeller of New York. Nixon is an honorary member of the National Association for the Advancement of Colored People.

There were no other Republican choices.

Democrats Pick Nixon

Negro Democrats were asked whom they preferred as the Republican candidate. They voted 63.1 per cent for Nixon to 36.0 for Rockefeller.

The poll is regarded as highly significant by political leaders because Negroes claim to hold the balance of power in 10 states in the 1960 Persidential campaign.

In expressing their preferences among Democratic candidates the 200 Democratic leaders named seven and the 200 Negro Republicans listed six.

Negro Democrats had Stevenson and Humphrey running a dead heat, while Negro Republicans put Sen. John F. Kennedy [D., Mass.] ahead of Humphrey. Negro Democrats gave small percentages to Gov. Edmund [Pat] Brown of California and Rep. Chester Bowles [D., Conn.], who were ignored by Negro Republicans.

Negro Republicans listed Sen. Lyndon Johnson [D., Tex.], who was ignored by Negro Democrats. Both agreed on including Gov. G. Mennen [Soapy] Williams of Michigan and Sen. Stuart Symington [D., Mo.] as contenders.

Democratic leaders asked about their Presidential preferences responded this way: Stevenson, 33.8 per cent; Humphrey, 338; Williams, 11.3; Kennedy, 8.5; Symington, 7.1; Brown, 4.2, and Bowles, 1.4.

The preference of Negro Republicans for the Democratic candidate was: Stevenson, 267 per cent; Kennedy, 21.3; Humphrey, 17.3; Johnson, 14.7; Symington, 5.3, and Williams, 4.0.

Jet reports enthusiasm among Negro Republicans was greater than among Negro Democrats, which indicated "the degree of G. O. P. positiveness and the high degree of indecision among Negro Democrats on their party's standard bearers."

G. O. P. WORKER SEEKS RETURN OF NEGRO VOTE

BY ROI OTTLEY

Everett J. Hill, a Negro real estate broker, proprietor of a variety shop, and a lifelong Republican, has chosen a politically ambitious program for himself. He plans vigorous effort to return the Negroes' vote to the Republican party.

Hill

"The Democrats have won the Negro vote by default," Hill asserts, "because the Republicans have not in recent years waged a vigorous campaign among Negroes, nor have they done the things which would attract the Negro vote."

Runs Variety Shop

He lives in a normally Republican area, but, as he wrote in a letter to Sen. Dirksen, anyone who supports the Republican party on the south side is subject to "many kinds of pressures to vote otherwise."

Hill, who operates a south side variety shop known as the "Tradin' Post," started his political activity in 1930, and has served as a precinct captain. For several years he was political secretary to the Rev. Archibald J. Carey Jr. when Carey was an alderman from the 3d ward.

Hill was born in Chattanooga, Tenn., one of five children. His father, Don C. Hill, was a merchant.

A Real Estate Man

Young Hill attended the Main street elementary school and Howard High school. He came to Chicago in 1917, enrolled at the Central Y. M. C. A. High school and graduated in 1942. Soon afterward he started to work in a real estate office collecting rents and selling fire insurance. Meantime he continued his studies at Northwestern university, specializing in banking and finance.

For three years he made mortgages for the Great Northern Realty company, a subsidiary of the Douglas National bank, a Negro institution. Later he joined a real estate investment company.

He later became editor and publisher of a newspaper, Chicago Crusader. In 1939, he joined his brother, Clarence, in forming a realty company.

They prospered, and in 1941 Hill opened his variety shop. Hill has a son, Everett J. Hill Jr., 5.

Nixon Heckled Before Leaving Siberian City

Earlier Welcome There Friendly; Party Flies to Urals

SVERDLOVSK, Union of Soviet Socialist Republics, July 29 (AP). — Vice President Richard M. Nixon flew to this city in the Eastern Urals today for a two-day visit and was met by several thousand silently waiting Russians.

He flew from Novosibirsk in Western Siberia where he weathered last-minute heckling from otherwise friendly crowds. The welcome in Novosibirsk yesterday was the warmest of his Soviet tour, and friendly throngs almost mobbed him.

But shortly before leaving Novosibirsk he was subjected to some questions from hecklers. One of Mr. Nixon's aides said some of the hecklers appeared to have been planted in the crowd.

Mr. Nixon showed no outward sign of being upset at the sharp questioning which came as he toured the huge hydroelectric plant and big scientific center.

But twice he challenged insistent critics of American overseas bases to "hear the truth" by tuning in on his farewell speech from Moscow over television next Saturday.

Replies Sharply

And once he replied sharply to a question, "Are you really for peace?"

"What do you think?" Mr. Nixon answered.

"I think not," said the questioner, whom Soviet authorities quickly identified as a bricklayer at the Siberian scientific center.

"I suggest you read my speeches again," said Mr. Nixon, "and if you can get your government to stop jamming the Voice of America broadcasts you'll get the truth. You are not getting the truth now."

On reaching Sverdlovsk, the Vice President went ahead with a visit to a giant heavy machinery plant, one of the biggest in Russia.

Sverdlovsk, 900 miles west of Novosibirsk, is where the Bolsheviks executed Czar Nicholas II in 1918.

Visits Science City

Now a city of more than 600,000, Sverdkovsk has been a leading industrial center since much Soviet war industry was moved there during World War II. It is located in the eastern foothills of the Central Ural Mountains, 850 miles east of Moscow.

Before leaving Novosibirsk, Mr. Nixon was allowed to visit the Soviet Union's prized Siberian Science City, a complex of research centers under construction. Mr. Nixon also looked over the local power station and took a boat trip around the shores of the Ob Sea.

The warmth and enthusiasm of his reception yesterday in this throbbing West Siberian metropolis thrilled Mr. Nixon, who told newsmen it was "by far the most outstanding we have seen" since arriving in the Soviet Union seven days ago.

The Vice President talked his way into a look at the multimillion-dollar scientific research center which the Russians are raising on the shores of the man-made Ob Sea near this industrial center.

Work was started early last year on the project, which is to house tens of thousands of scientists, students and their families by 1962.

13 Research Institutes

Details of the center have been skimpy. Original plans called for 13 large research institutes devoted to mathematics and natural sciences with provision for expanding into other fields.

The arrival of the Nixon party yesterday in Novosibirsk touched off spontaneous outbursts of friendliness that astounded the Americans and kept Soviet security agents busy.

"I was afraid he (Nixon) was going to be hurt by a bear hug," said Georgi A. Zhukov, chairman of the Soviet Union Cultural Committee who is escorting the Vice President. "But they were hugs of friendship."

Novosibirsk, which has grown from 120,128 to 880,000 in population in 35 years, has often been called a "closed city" to foreigners.

Few in the frontier city had ever seen an American. Thousands lined the streets to cheer the Nixon party and in their enthusiasm almost mobbed a busload of American newsmen traveling with the Vice President.

Chicago of Siberia

Mr. Nixon drew rousing shoult and laughter with several references to Novosibirsk as "the Chicago of Siberia," an expression often used by Soviet officials.

"We send greetings to the people of Chicago," shouted back one man.

Another asked the Vice President, "Do you like Siberia?"

"We feel very much at home," he replied with a big smile.

Mr. Nixon and his wife Pat kept up a fast pace from the minute they arrived. Mrs. Nixon hurried directly from the airport to a Siberian fashion show. When a teen-age, box-pleated gray wool suit with slip-over matching jacket was shown, she commented, "My daughter has one like that."

Enthusiastic Russians followed the Nixons everywhere.

About 1,500 waited outside the opera house last night while the Nixons attended the ballet "Swan Lake." The 2,000-seat theater was packed. The Nixons had front-row seats. The crowd outside applauded and cheered when he appeared on the front steps between the second and third acts.

GOP jobs drop slowly

N.Y. 'faithful' ignored in picks

By ALVIN WHITE

NEW YORK CITY — Political plums falling to New York's colored Republicans have been few and far between. To date, only two choice jobs have fallen to the faithful and even these appear to be ignored in the naming of men for jobs. The Rockefeller administration is not asking recommendations from the leaders as yet and they feel keenly his slight.

For instance, when George Fowler was handed Plum Number One, "Deputy Industrial Commissioner," it came as a surprise. Although Mr. Fowler is a member of veteran Republican leader Harold Burton's club, Mr. Burton was "advised" of the choice at the last minute and had no say-so at all. Naturally, Mr. Burton "endorsed" Mr. Fowler's name.

* * *

WHAT HAPPENED was this. The new Industrial Commissioner Martin Catherwood remembered Fowler as a student in the Labor Relations Institute at Cornell University when Catherwood headed that department.

So being remembered by Catherwood, although he was not the most brilliant student in the school, meant more to Fowler than anybody else's endorsement — and he didn't need any other.

Plum Number Two went to Samuel Pierce — a $34,000 a year judgeship in the Court of General Sessions, top criminal court.

Mr. Pierce, strangely enough also a Cornell man, will serve out the unexpired term of Tammany Judge Carney, elevated to the N.Y. Supreme Court.

* * *

COME NOVEMBER, Mr. Pierce will have to stand for election. And, in a city normally Democratic in an off year, Mr. Pierce's chances for election appear slim at this time.

Then again, angry Tammany Chieftan Carmine DeSapio has said he will nominate a colored man to oppose Pierce. But that wasn't the way it was at first.

DeSapio had a candidate; ex-Governor Harriman had a candidate; they couldn't get together so when Carney resigned on Dec. 31, it was too late to fill the job and it fell into Rockefeller's lap.

Some thought Assistant District Attorney Jimmy Yeargin, has too much time in the service to gamble now.

* * *

ACCORDING TO some Republican leaders, Mr. Rockefeller is moving too slowly and in a direction independent of their assistance, advice or recommendations Because of this, the Governor is rushing headon into a storm.

Some of these leaders are justified in their grumbling.

Through the long, lean years, Harold Burton single-handedly kept the Republican name alive in Harlem.

It is well known that Mr. Burton does not and has not enjoyed Mr. Dewey's blessings since the days when Burton supported the late Robert A. Taft in his quest for the presidency.

Dewey, now said to be a power in the Rockeffer entourage, has never forgotten nor forgiven outspoken Harold Burton.

Add to the situation the blast of a columnist in a local weekly saying of Republican leadership in Harlem "as usual, they are behind the times."

THE COLUMNIST gives the names of three persons he feels capable of the "new-look aggressive leadership which is characteristic of Mr. Rockefeller."

Recently, this same publication printed a list of names of colored workers in the campaign, "deserving of Rockefeller's recognition and reward.

It was a motly list — one particular worker having been in the past ten years a Republican, a Democrat on Adlai Stevenson's speakers bureau, a Liberal and now, back on the Republican lot, riding the Rockefeller bandwagon.

Already, Mr. Rockefeller has replaced Dr. Robert C. Weaver on the State Rent Commission; Mrs. Joyce Phillips Austin resigned her state job and other colored Democrats have either resigned or are preparing their resignations.

This leaves open a number of jobs, appointive, bracketed from $7,000 up which colored Republicans eye with watering mouths.

Is Mr. Rockefeller going to bypass the old Republicans who have faithfully voted the party line and kept some semblance of the party alive, or is he going to hand the jobs to the new "breed" referred to by the columnist?

34d 1959

REPUBLICAN

Western World

Deep Sorrow Is Expressed For Dulles

LONDON (AP) — The resignation of John Foster Dulles brought quick expressions of deep sorrow from the Western world leaders. Personal sympathy for the increasing severity of his illness mingled with political concern at the loss of a stout foe of communism.

"This is indeed sad news," said British Prime Minister Harold Macmillan.

That summed up the messages pouring in from European capitals soon after President Eisenhower announced that Dulles could no longer carry on as secretary of state because of cancer.

Moscow radio and other Communist agencies promptly reported the news, but made no immediate comment.

Possibly the deepest feelings were aroused in West Germany, which has long regarded Dulles as Chancellor Konrad Adenauer's staunchest ally against making piecemeal concessions to the Soviet Union.

Adenauer Moved

The news was rushed to Adenauer who is on vacation in Italy. An aide said the 83-year-old Chancellor was deeply moved.

The West German Foreign Office said the removal of Dulles at this stage "means a great loss not only for the American people but also for the entire Western world."

In West Berlin, focus of the approaching East-West bargaining session by foreign ministers in Geneva, a city spokesman Hans E. Hirschfeld said: "Berliners especially regard this as a tragic stroke of fate. Dulles always stood up for the interests of Berlin."

Dulles' opposite number in Britain, Foreign Secretary Selwyn Lloyd said: "I profoundly regret that this decision had to be taken."

Dulles brought "brilliant intellectual gifts, a high sense of duty and tremendous physical endurance. He has been a close friend and colleague. His retirement is a heavy loss to the West," Lloyd said.

Macmillan Comments

Macmillan's statement said "President Eisenhower once referred to Dulles as a dedicated man. From my long experience of him, I know how true this is."

Hugh Gaitskell, leader of the opposition Labor party, said "however much we disagree with Dulles—and many of us did from time to time—no one who knew him and his work as secretary of state could fail to admire his profound knowledge of world affairs, his superb intellect, his unflagging courage and most of all his great strength of purpose."

Sir Anthony Eden, former British prime minister, said "the world will deplore the cause of his resignation, and his friends regret the loss of his knowledge and counsel at a critical time."

French President Charles de Gaulle, whose views toward a summit meeting and rigorous stand against Soviet pressures closely coincided with the attitude of Dulles, was in a Cabinet meeting when the resignation was announced.

FRENCH STATEMENT

French Foreign Minister Maurice Couve de Murville issued a statement expressing the Cabinet's "great emotion and regret." The departure of Dulles, he said, was a loss which would be especially felt in the present circumstances.

Officials at the North Atlantic Treaty Organization headquarters in Paris said the strong hand of Dulles will be sorely missed in ministerial meetings.

News of the resignation was brought into the Italian Senate while a foreign policy debate was in progress.

"This is the personal drama of a great statesman who, in the middle of a struggle for peace and freedom, had to leave his front line post for health reasons," said Christian Democrat Sen. Giovanni Medici.

In Vienna, an Austrian government spokesman said: "We consider him a true friend who proved his friendship for Austria in most critical times. He will never be forgotten by us as a man who worked hard to help us achieve our independence treaty in 1955."

END OF ERA

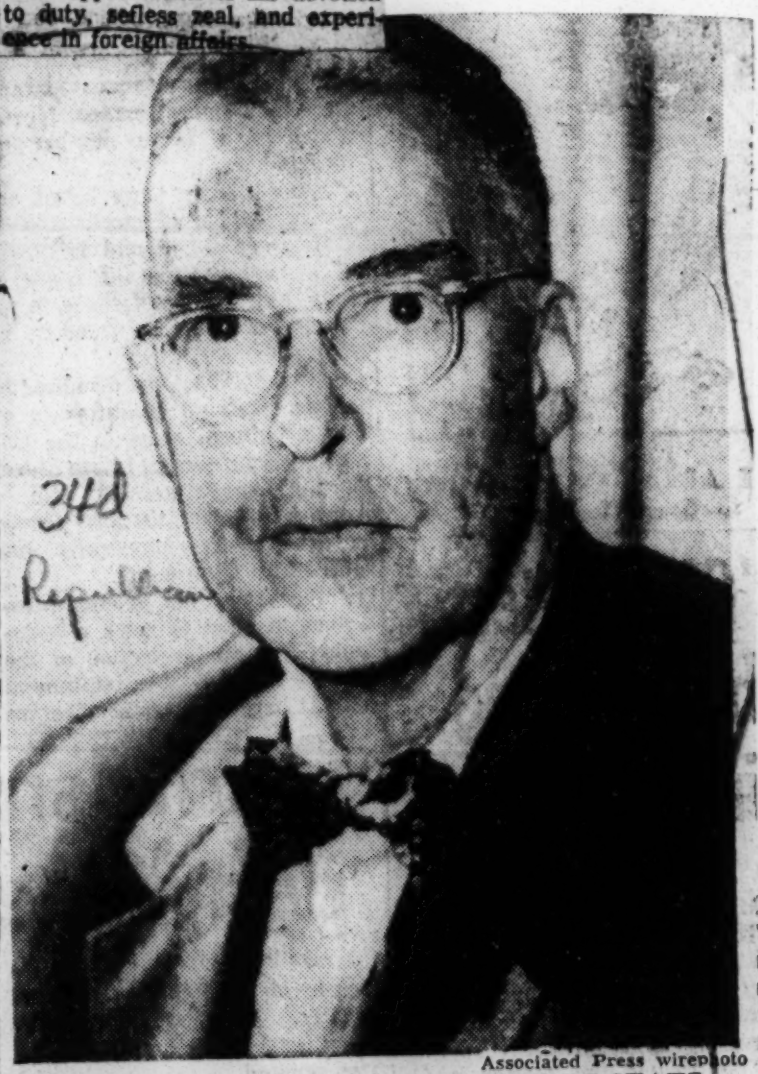
A Belgian Foreign Ministry spokesman said Dulles' resignation would mark the end of an era in Western diplomacy.

In Formosa, a spokesman for the Nationalist Chinese Foreign Office said Dulles' resignation was a matter of "profound regret."

Dulles was regarded in Formosa as one of the strongest anti-Communist champions, despite some past differences.

In Tokyo, a Foreign Office spokesman said the free nations will miss Dulles' leadership, but he predicted there will be no change in U.S. policy.

Although Dulles had not been popular in New Delhi, Indian Parliament members declared their appreciation of his devotion to duty, sefless zeal, and experience in foreign affairs.



Associated Press wirephoto

CHRISTIAN HERTER—SECRETARY OF STATE
... To lead diplomacy of United States

Replaces ailing Dulles—

Ike names Herter secretary of state; quick OK expected

AUGUSTA, Ga., April 18—(AP)—Christian Herter today was named by President Eisenhower to be the new secretary of state.

The president personally announced his choice with Herter, under secretary since 1957, standing at his side at a news conference.

Herter is being elevated to the cabinet to succeed cancer-stricken John Foster Dulles, who resigned last Wednesday.

The president announced his intention to send Herter's nomination to the Senate next week. Swift confirmation has been predicted.

HERTER WAS ASKED whether he plans any change in U. S. foreign policy. He replied with a smile he does not want to get into that matter until he has been confirmed.

The new secretary, 64, also declined to speculate on who will succeed him as undersecretary.

He added, however, that he believes it is "a reasonable assumption that the same team will carry on."

HERTER FORMALLY announced that at Eisenhower's personal request, put to him last Monday, he underwent a complete physical checkup at Johns Hopkins University Hospital at Baltimore, Md.

Herter said he had not been informed yet regarding the results, but White House Press Secretary James C. Hagerty chimed in that the medical results were satisfactory in every way.

"Everything is fine," Hagerty said.

Herter has suffered from arthritis of the hips for the last several years. There has been some concern as to whether he would be up to standing the grueling burden of the office.

Herter was flown to Eisenhower's vacation headquarters this morning by helicopter from his plantation at Green P[illegible] S. C. Herter arrived there yesterday from Washington to spend the week-end.

EISENHOWER and Herter met with newsmen in a conference room a few feet from the president's temporary office above the pro shop at the Augusta National Golf Club. Herter walked into the room without the lightweight metal crutches he frequently uses, but he had left them in a nearby office.

Eisenhower said simply on his arrival in the conference room:

"I just want to announce my intention to nominate Mr. Herter for secretary of state."

Then the president said the nomination will go to the Senate early next week.

WITH THAT, Eisenhower left the room and Herter met with newsmen for about 15 minutes.

Replying to a question, Herter said he does not expect that arthritis to hinder him in any way in the performance of his job. He specifically predicted the ailment would not restrict his travel as secretary of state.

Herter's first major assignment will be attendance at the conference of Western foreign ministers to be held in Paris starting April 29. He will go on from there to Geneva for that same group's meeting commencing May 11 with the Soviet Union's foreign minister.

Herter said the main purpose of the Paris conference will be to coordinate the position of the Western powers in advance of the Geneva meeting.

PROMPT SENATE action on the nomination of Herter was assured as senators generally praised his selection.

Chairman J. William Fulbright (D., Ark.) of the foreign relations committee, called a committee meeting for Tuesday to consider the nomination.

Fulbright acted without awaiting the formal notification of Congress by the White House—probably Monday—that Herter had been chosen.

"I HOPE WE will confirm this appointment quickly and settle the matter once and for all," said Sen. Mike Mansfield (D., Mont.), assistant Democratic leader and a member of the Senate foreign relations committee.

Mansfield and Herter both came to the House in 1943 and have worked together on many public matters.

Sen. Leverett Saltonstall (R., Mass.), a longtime friend and political associate of Herter who is a former governor of Massa-

chusetts, said Herter "has the complete confidence of the president and the Congress."

Sen. Alexander Wiley of Wisconsin, top Republican member of the foreign relations committee, said Herter "will provide the nation with an astute, well-qualified standard bearer of our foreign policy."

SEN. JOHN SHERMAN COOPER (R., Ky.), former ambassador to India, said "I am confident that Mr. Herter, by reason of his experience in the field of foreign affairs, his good judgment and his fine intellectual ability, will make a great secretary of state."

Southerners may hold key—

Rights issue holds Strauss fiaht role

GOP Gets Tongue-lashing

BY JACK BELL

WASHINGTON, June 3—(AP)—Political issues ranging from civil rights to public power appeared likely today to influence the Senate's decision on the Lewis L. Strauss nomination.

Although these issues have scarcely been mentioned in the bitter daily arguments over President Eisenhower's nominee for secretary of commerce, they are credited with a part in shifting the lineup of support and opposition to the appointment.

REPUBLICAN BACKERS believe they have a two or three vote margin to confirm Strauss when the showdown comes, probably next week. But they must have the votes of about 17 Democrats to attain the result and they are having difficulty finding them

Strauss' principal opponent, Sen. Clinton P. Anderson (D., N. M.) said that if Strauss is approved "he will have to get every doubtful vote and I don't think he can do it."

On the other hand, Sen. Everett M. Dirksen (R., Ill.), GOP Senate leader, firmly predicted Strauss' confirmation.

ONE OF THE FACTORS hurting Strauss' chances is the political debt some Southern senators feel they owe Anderson. He sponsored amendments which softened the tough civil rights bill the House had passed in 1957, and some of the Southerners think they might need his help on civil rights legislation later this year.

With his expected Dixie support being chipped away, Strauss faces an almost solid wall of opposition from public power advocates among the Democrats of the West.

In this group only Sen. Dennis Chavez (D., N. M.), Anderson's colleague, has announced he will vote for confirmation.

As chairman of the Atomic Energy Commission (AEC) Strauss fought for private, rather than government, development of atomic power. Although he would have no direct authority in this field as secretary of commerce, Strauss' critics credit him with the ability to influence general administration policies.

By LOUIS LAUTIER

WASHINGTON (NNPA — In a daring speech, E. Frederic Morrow, a White House aide, called upon the Republican party to woo colored voters by the selection of candidates who stand four - square on the Constitution.

Addressing the seventh annual Republican Women's Conference, Mr. Morrow said that failure of the Republican party to win the support of colored voters had led it, "both locally and nationally, down to ignominous defeat last November, and can do the same in 1960."

The speech shook up old-line Republican leaders, who have sought to face two ways on the question of the constitutional rights. These party faithfuls have preached protection of civil rights in the North and stood for segregation in the South.

THEY EXPECTED no such talk as Mr. Morrow made, from any member of the White House staff, or from any person holding a high Administration position.

The line that spokesmen for the Administration have followed is that more has been accomplished in the field of civil rights since President Eisenhower has been in the White House than in the last 76 years.

The basic failure of the Republican party to recognize colored Americans "as first-class citizens, with all the hopes and aspirations that go with this role in American life, is the primary contributing factor to the party's failure to attract and hold" the loyalty of colored voters, Mr. Morrow said.

Republicans can no longer preach to colored voters with any hope of success, he said, "the fact that they should be everlastingly loyal because of what President Lincoln said.

* * *

"IT SHOULD be repugnant to the party's own sense of decency to expect a race of people to forget and ignore the realities of the time, and to be eternally grateful to a party that helped to return to them their God-given rights of physical freedom and personal respect."

Mr. Morrow said the sole wish of colored people "is the right to live in this land in dignity and peace, unfettered by restricting bonds of race, color, caste or previous social condition."

"It is as simple as that. We ask nothing more, and because we are Americans, indigenous to the American soil, we should be expected to accept nothing less."

* * *

MR. MORROW declared that the Republican party can win in 1960 "if the party stands for something beyond the usual lip service to obvious ideals — this something being principles and policies that will advance the best interest of the entire nation, and that can be identified and judged by the sovereign voters of our country."

The Republican party must awake to the fact that colored people, he continued, "are alert and aware and militant over the issue of first - class citizenship. They will support any party or individual who will give more than lip-service to their cause, and who will actively preserve, protect and defend the inalienable rights of all loyal Americans.

Despite the brilliant record of the Administration on a national scale, President Eisenhower's philosophy of democracy has not penetrated the local precincts, the county and state governments, and local party machinery.

* * *

"AND UNTIL it does, there is no remedy available that will overcome the Democratic party's ballyhoo that it is the poor man's party, and despite the intolerance of the South on the matter of human rights, that it—the Democratic party — has an exclusive patent on a brand of democracy that embraces the downtrodden and the damned.'"

The colored voter "wants visual evidence of the sincerity of Republican leadership on the matter of human and economic rights," Mr. Morrow said, adding:

"And this cannot be proved by the President alone. We must have evidence of that in the halls of Congress, and in the state legislatures and in all city and state endeavors, where we expect candidates who run on Republican tickets to stand up and be counted when issues and programs involving the God given rights of American citizens are offered for decision.

"IN THIS NATION, with our very existence threated, there is no longer room for detached islands of segregation or discrimination within our country. No man must have the doors of opportunity in politics, education, economics, or community life shut in his face for reasons of race, color, creed or previous social conditions.

"We need the mental, physical, educational and economic to brave the coming storm."

Earlier, Attorney General William P. Rogers said the Eisenhower Administration had made more progress in the civil rights field than had been made in the previous 20 years.

"We have tried to make progress and also to recognize some of the practical problems, real and emotional, that are involved," he said. "to proceed with due regard to emotional and psychological factors we believe to be the best way to make progress."

Anti-Bias Unit Led by Nixon Is Foes' Target

WASHINGTON, Feb. 21 (AP).—An attack aimed at scuttling an anti-discrimination committee headed by Vice President Richard M. Nixon appears to be shaping up in Congress.

The Nixon group, called the Committee on Government Contracts, has the assignment of trying to prevent racial discrimination in the hiring policies of Government contractors. It works mostly through persuasion.

President Eisenhower established the committee several years ago by Executive order. As part of his civil rights program, he asked Congress to give it legal status.

DIRKSEN DOUBTFUL

The Senate Republican Leader, Everett Dirksen of Illinois, said today so much opposition has developed he now doubts the Senate Judiciary Committee will approve Mr. Eisenhower's request.

Southern Democrats viewed it as the opening wedge for an over-all permanent Fair Employment Practices Commission, the long-controversial "FEPC."

Dirksen said he has been told Southern opponents may also seek to deny operating funds to the Nixon committee.

The judiciary group will open hearings on civil rights bills, including the Administration's proposals, on March 18.

$200,000 FUND

The Nixon committee has been operating with about $200,000 annually in funds supplied to it by various regular departments of the Government, such as Defense, Labor and the Interior.

The committee tries to influence departments which negotiate contracts to include in them non-discrimination clauses.

But the committee has run into some situations where the law specifies the contract must go to the lowest responsible bidder and the contractor has been unwilling to accept the non-discriminatory clauses.

HINTS COURT ACTION

Dirksen said it is his understanding that court action has been threatened against the Nixon committee's actions in some instances.

To meet such contingencies, Mr. Eisenhower asked Congress to authorize the contracts group to investigate and to make recommendations to enforce non-discriminatory clauses. It also would continue its voluntary program.

FUNDING A FACTOR

Involved in the controversy is Congress' opposition to having any Presidential commission operate with funds not directly voted to it.

If Congress does not act at all on the matter, presumably the contracts group could continue to draw money from the regular departments to continue its limited activities.

Summit Meet Doubts Voiced By Eisenhower

WASHINGTON (AP)—Prospects for a summit meeting darkened Wednesday when President Eisenhower said progress made so far at Geneva would not warrant his going to a parley of the great powers' leaders.

Eisenhower told a news conference he sought no more from the three-week-old Geneva meeting of foreign ministers than "a decent working paper" on which leaders of the Soviet and the Western Big Three could go to work this summer.

But, he added: "No, there has not been any detectable progress that to my mind would justify the holding of a summit meeting."

The least to be expected from the Soviet Union, he stipulated, is a clear commitment now that the rights of the Western powers in Berlin will be respected until a reunified Germany can assume control of the divided city.

The summit question opened the news conference—the first one held by Eisenhower since the Geneva talks began. It was followed by a wide-ranging barrage of queries on home front and military problems.

The President ducked none of them. He said:

1. It is completely untrue that he has stepped in on the side of management in the steel wage negotiations. The deadlock, if continued, could bring a nationwide steelworkers strike July 1.

Eisenhower was accused on Sunday by President John L. Lewis of the United Mine Workers of throwing the weight of his prestige against the United Steelworkers' demands, and a newsman asked for a reply.

The President said he has urged self-discipline on both sides to avert a possible new spiral of wage and price increases. But he is more concerned with the mass of workers than with their bosses, he said. Then he added: "But I do say this: They mustn't do things that damage themselves."

Debt Ceiling.

2. The administration shortly will ask Congress to raise the ceiling on the 286-billion-dollar federal debt, and perhaps—to ease the Treasury's borrowing problem—to boost the 4¼ per cent limit on the interest rate on government bonds.

He acknowledged he discussed the debt dilemma Monday at a White House meeting with Secretary of the Treasury Robert B. Anderson and congressional leaders of both parties.

In the face of rising interest rates, the Treasury must add perhaps six billion dollars temporarily to the debt this fall. But the debt ceiling is due to drop gradually to its permanent level of 283 billion.

No decisions were reached on specific proposals, Eisenhower said. But he indicated there was serious study of seeking higher interest rates in a tart reply to a question as to their impact on the general public.

"I don't know that this particular point came up for discussion at that meeting," he said, "for the simple reason that the impact ought to be well understood . . . if the nation cannot borrow money."

3. It would be tragic, Eisenhower said, if the issue of anti-Semitism should be injected seriously into the Senate battle over confirmation of Lewis L. Strauss as secretary of commerce. Strauss is a Jew.

A reporter asked whether Eisenhower agreed "with some of the Republican congressmen" that anti-Semitism might be a factor in Strauss' confirmation difficulties.

Eisenhower parried that he "didn't know this charge emanated from Republicans" but declared: "If it is brought forward seriously, this is indeed tragic."

"We have here a man of the highest type of character, ability, devoted many years of his life to public service, and to see such a false charge thrown at him in order to belittle him or hurt him would be very, very sad, I think," the President said.

In response to another question, Eisenhower conceded it would be strange if any individual were admired and respected by everyone in the world, "so I suppose there is some room for honest difference of opinion" about Strauss.

But he asserted a belief that some of the bitter controversy swirling around Strauss would impair his usefulness if he should be confirmed. Strauss has performed effectively for eight months, he said.

4. Eisenhower said Secretary of Defense Neil H. McElroy will complete within about 10 days an exhaustive weapons study which may settle the Army-Air Force squabble over missiles.

The President said he did not believe he personally would be obliged to make a decision on priority between the Army's Nike-Hercules and the Air Force Bomarc.

The problem is most complex, he said, and meantime: "I am standing behind the defense plans that I recommended to Congress." He added: "But if this study shows the need for some modifications, I am quite ready to assist in making them."

Mrs. Ray Estes Third District KRWC Director

Baxter Springs, Kas.—For the first time in the history of Kansas, Third District Republican Women have elected Mrs. Ray Estes, a Negro, as district director. She conducted her first meeting in Girard, Kas., May 2. Eighty Republican Women attended the meeting in the beautiful Raymond Community Home.

Veoma, as she is known to her many friends, was born in Neosho, Mo., September 29, 1904. When a small child she came with her parents, Mr. and Mrs. Edward Woolridge, to Kansas.

Finally settling in Galena, Veoma attended the elementary schools of Galena and graduated from the Galena high school. Mrs. Estes attended Kansas State Teachers College at Pittsburg. She was substitute teacher in the Douglas School of Baxter Springs for many years and is a teacher of piano.

She is married to Ray Estes of Baxter Springs, Kas., and they have four children: Miss Rayma Marie Estes and Freddie L. Estes of Minneapolis, Minn.; Richard C. Estes of Des Moines, Ia.; and Mrs. Lewis Wright of Baxter Springs; two grandchildren, Kenneth Estes and Michael Renae Wright.

Mrs. Estes hobby is music, flowers and needle work. Mr. and Mrs. Estes are church workers with their membership in the Mt. Olive Baptist church.

The Estes family is widely known throughout Kansas and Southwestern Missouri. Mrs. Estes is president of the American Legion Auxiliary and has been president of the Council of Church Women of Baxter Springs. She has been active in the Republican Party in Cherokee County, for more than 15 years, holding the office of treasurer for ten years.

MRS. RAY ESTES

Highest Civilian Decoration Given Dulles by President

WASHINGTON, May 20 (AP)—John Foster Dulles, near the end of life, has been awarded the highest decoration an American civilian can be given for service to his country—the Medal of Freedom.

President Eisenhower bestowed it on his former secretary of state in an unusual sort of way.

The President had his son and aide, Maj. John Eisenhower, take the medal to Mrs. Dulles yesterday. Then she presented it to her husband in his sickroom at Walter Reed Army Medical Center.

Eisenhower could have taken care of the presentation himself, when he was out again Monday for one of his many visits to his cancer-stricken friend.

But for this ceremony he preferred to stand aside in favor of Mrs. Dulles, the former secretary's wife of almost 47 years.

Disclosure Today

The White House disclosed the award today and told how it was delivered.

Mrs. Dulles and other members of the family are spending all the time they can with Dulles. Pain-killing drugs are now being given to make him as comfortable as possible. He sleeps much of the time.

The State Department said today there has been no change in his condition since yesterday, when it was reported to have grown worse for the second time in five days.

Eisenhower has found many ways to show his extraordinary admiration of Dulles, his chief Cabinet adviser for six years. Three more ways have now been found—the medal, a new personal note and a citation to go with the medal.

The medal hangs suspended from a red, white and blue ribbon. It is bronze, an inch and a quarter in diameter. On one side is the figure of freedom, copied from the statue on the Capitol dome; on the other side, a liberty bell.

Given 13 Times

It has been awarded 13 times since it was created in 1946. While it ranks as the highest award possible for a civilian, it may also be given to others.

The note from Eisenhower, addressed to "Dear Foster" and signed "With warm regard, as ever, D. E." said:

"It is an honor and a privilege to award you this Medal of Freedom.

"Inadequate though it is to express my gratitude and the gratitude of the nation you have served so well, it does stand as a small token of the affection and esteem that the people of America and the world hold for you and your tireless efforts on behalf of freedom."

The citation accompanying the medal remarks on Dulles' work during great world stress, and said:

"He has served his country well.

"His belief in the ideals of America has been deep and strong.

"Those ideals will be kept secure so long as our country has men of the mold of John Foster Dulles."

Good Republicans, Democrats

E. Frederic Morrow, the White House aide, addressing the annual Republican Women's Conference in Washington the other day, declared that locally and nationally the Republican Party has made no effort to win the votes of colored citizens.

In the case of some Republicans like Arizona's Barry Goldwater, Maryland's John Marshall Butler, South Dakota's Karl Mundt, Indiana's Homer Capehart and New Hampshire's Styles Bridges, there is considerable truth in what he says about the national picture.

On the other hand in the same Senate there are notable exceptions like New Jersey's Clifford Case, New York's Jacob Javitts and Kenneth Keating, Pennsylvania's Hugh Scott, Maryland's J. Glenn Beall and California's Thomas Kuchel and Vermont's George Aiken.

* * *

AND ON THE local level, it is a nationally known fact that as Baltimore's mayor and Maryland's governor, Theodore McKeldin cannot be covered by the Morrow indictment of not knowing what to do to win the votes of colored people.

As governor and mayor, Mr. McKeldin appointed the first colored persons to the Baltimore board of education, county boards of education and the Maryland State Board of education.

He also pioneered in the appointment of colored representatives on the State Board of Health and the State Board of Public Welfare.

He named colored assistants in the offices of the Baltimore solicitor, the U.S. district attorney and the state attorney general.

There never was a colored police magistrate, a traffic magistrate or a People's Court judge until McKeldin came into office.

He required the state merit system to drop all racial designations and employ all applicants on the basis of first come, first served.

He ended the decades-old practice of white persons only in the Department of Motor Vehicles and opened scores of jobs to colored applicants as toll collectors, guards on the state's bridges and in the Baltimore Harbor tunnel.

* * *

LONG BEFORE Mr. Morrow's boss, President Eisenhower, got around to giving his personal opinion on the Supreme Court's school desegregation decision, Mr. McKeldin said: "I stand by the law as interpreted by the high court."

Governor McKeldin has been out of office only four months, but already he's sorely missed. Just the other day Maryland executed the youngest prisoner in its history when a 17-year-old boy died in the state's gas chamber, a state murder which McKeldin might not have approved.

He was the one member of the Southern Governors' Conference who disagreed openly and continually with his fellow chief executives on the question of civil rights.

He was the only Southern governor to order integration of the National Guard.

* * *

HE'S DONE all of these things in a state like Maryland where heretofore Democrats and Republicans alike have given the perennial excuse that the time isn't ripe.

All we are saying is that there are good Republicans and Democrats and Mr. Morrow falls into a common trap when he proceeds to generalize.

Workshops in Indianapolis Sponsored by GOP Council

Courier Pittsburgh, Pa.
10-10-59

CHICAGO — Mrs. William T. Davis, Illinois board member and president of the First Chicago Workshop, will be among those attending the third biennial convention of the National Council of Republican Workshops convening in Indianapolis, Ind., on Oct. 6, 7 and 8. The Continental Hotel is convention headquarters.

TO PRESIDE AT WORKSHOP —Mrs. John Pillsbury Jr. of Wayzata, Minn., president of the National Council of Republican Workshops, will preside at that organization's convention in Indianapolis, Oct. 6-8.

Heading the list of prominent figures who will address the gathering is Dr. Walter H. Judd, member of Congress from Minnesota's Fifth District and former medical missionary in China, who will give the keynote address following a banquet in the Indianapolis Athletic Club on Wednesday evening, Oct. 7. F. S. Cornell, well-known Milwaukee businessman and executive vice president of the A. O. Smith Corporation, spoke at the opening luncheon Oct. 6. On Wednesday, Oct. 7, a "Hoosier" luncheon will honor Republican mayoralty candidates in November municipal elections from Indiana "workshop" communities. Indiana State Senator Richard O. Ristine of Crawfordsville will be the speaker.

Mrs. John Pillsbury Jr. of Wayzata, Minn., president of the National Council, will preside at business sessions as well as the opening luncheon. Principal items of business are election of officers for the 1959-61 biennium, adoption of a budget, and action on proposed by-laws changes. Mrs. Allan C. G. Mitchell of Bloomington, Ind., is nominee for president o succeed Mrs. Pillsbury.

Integration Placed Atop GOP Goals

Montgomery Ala.
Advertiser
10-11-59

High Priority Put On Efforts To End Public Segregation

P.I.
34d

WASHINGTON (AP) — Republicans called Saturday for the elimination of racial segregation in public places. They set this as a high priority goal requiring a cooperative effort by government at all levels.

In a wide-ranging report on "Human Rights and Needs," a task force of the Republican committee on program and progress also recommended that the nation:

1. Increase its current public and private expenditures of 20 billion dollars annually on education to 50 billion by 1976.

2. Expand the flow of mortgage credits for housing and try to find ways to finance an increasing number of trade-ins of older homes.

MEDICAL RESEARCH

3. Boost national medical research spending to a billion dollars yearly by 1965, with the government bearing half the cost.

4. Make pensions and seniority rights transferrable so that union members and management executives could change jobs if they chose.

5. Reshape welfare services and strengthen public assistance program "so as to provide help for any person who is hungry, homeless, disabled or sick, while at the same time preventing a further increase in the federal share of support...."

6. Provide for the rehabilitation of 90,000 disabled persons next year in a continuously accelerating program.

ONE OF SERIES

The report, one of a series being published by a 44-member committee headed by Charles H. Percy of Chicago, was written by a task force captained by Miss Bertha Adkins, undersecretary of Health, Education and Welfare.

In its discussion of civil rights, the task force avoided specific recommendations for new legislation. Another civil rights battle is expected to explode in the Senate by mid-February.

The GOP report called for "vigorous programs to be developed to make effective for all members of minority groups equality of opportunity to compete for jobs an upgrading on the job, to receive the best in education and obtain health service and financing."

'HIGH PRIORITY'

"We look forward to the day when segregation is completely eliminated in public places," the Republicans said. "This goal is one of high priority. To achieve it a cooperative effort by government is needed at all levels. The federal government must never allow the peaceful and orderly transition that must take place to lag."

34d 1959 REPUBLICAN

Charlotte School Principal Is 'Mr. Republican' in His Area

Courier Pittsburgh, Pa. 34 9-26-59.

(Courier Press Service)

CHARLOTTE, N. C.—William Howard Moreland is "Mr. Republican" among Negroes in Mecklenburg County, which embraces this the largest city in the Carolinas. But it was not ever thus, for Mr. Moreland, son of a distinguished AMEZ general church officer, for many years was a staunch Democrat and worked at it. He always had a sizeable block of votes in control.

A veteran of 30 years as a teacher, he is principal of Marie G. Davis Elementary School and eligible to retire at any time. A staunch civic worker, he is a life member of the NAACP and has been active in politics for more than 20 years.

In 1934 he headed a drive which saw more than 1,000 new Negro voters put on the books. He has never sought public office himself, and has no ambitions along that line. H' desire is to see his own people make progress. He is happy and satisfied with his own life.

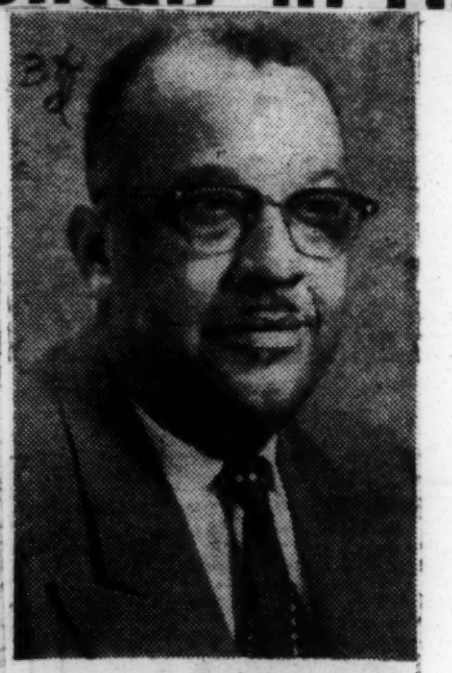
■

Wooed by the Republicans in 1952, Mr. Moreland finally switched parties in 1956 bringing a goodly number of other influential Negro Democrats with him to the GOP fold. He is a member of the Macklenburg County Republican Executive Committee, and for some time his son, W. H. Jr., was precinct chairman of the densely populated 25th Precinct.

Mr. Moreland appreciates the value of patronage in the game of politics and was instrumental in getting a new post office station built in the 25th Precinct. It is manned by Negroes, and was dedicated Oct. 18 of last year. Mr. Moreland has helped get jobs for a number of Negroes. He is depended upon by GOP Representative Charles A. Jonas of this district for advice and council on many matters.

He is one of the founders of the H. L. McCrorey YMCA here, is a widely known athletic official, past president of the local Teachers Association and the N. C. State Athletic Association. He was a three-letter man at Livingstone College, where he got his college training. His M. A. came from Columbia University.

His political aim: to use his influence in opening up jobs for Negroes, believing economic uplift brings other benefits. He will not run for any office, even though drafted, nor will he accept any appointment. But on election days there are almost 1,000 voters who look to him for "the word," as to whom they should vote for. Working with him are three GOP Negro precinct chairmen in Mecklerburg County, who always seek his advice.



WILLIAM H. MORELAND
. . . 30 years a teacher

Withholds Opinion On Mixed Schools

Ike Considers Segregation Morally Wrong

News & Courier
Charleston, S. C.

From AP Wire Reports

President Eisenhower Wednesday declared at his news conference in Washington that he considers racial segregation which denies any citizen equal opportunity in economic and political affairs to be morally wrong.

This was the first time he has made such a declaration in public.

But his reply did not mention segregation in the schools. Newsmen time and again have sought his personal view on that issue. Just as regularly Eisenhower has replied that the President is sworn to uphold and enforce the law of the land — in this case the Supreme Court decisions forbidding racial segregation in public schools. In these circumstances, he has said, he should not voice his personal feelings.

Eisenhower's unexpectedly direct words on the racial segregation issue came in response to a question by New York Times reporter William H. Lawrence. The exchange went like this:

"Q. Quite apart from the legalisms of the situation, Mr. President, have you any opinion as to whether racial segregation is morally wrong?

"Eisenhower: Myself?

"Q. Yes, sir.

"Eisenhower: Well, I suppose there are certain phases of a segregation—you are talking about, I suppose, segregation by local laws—

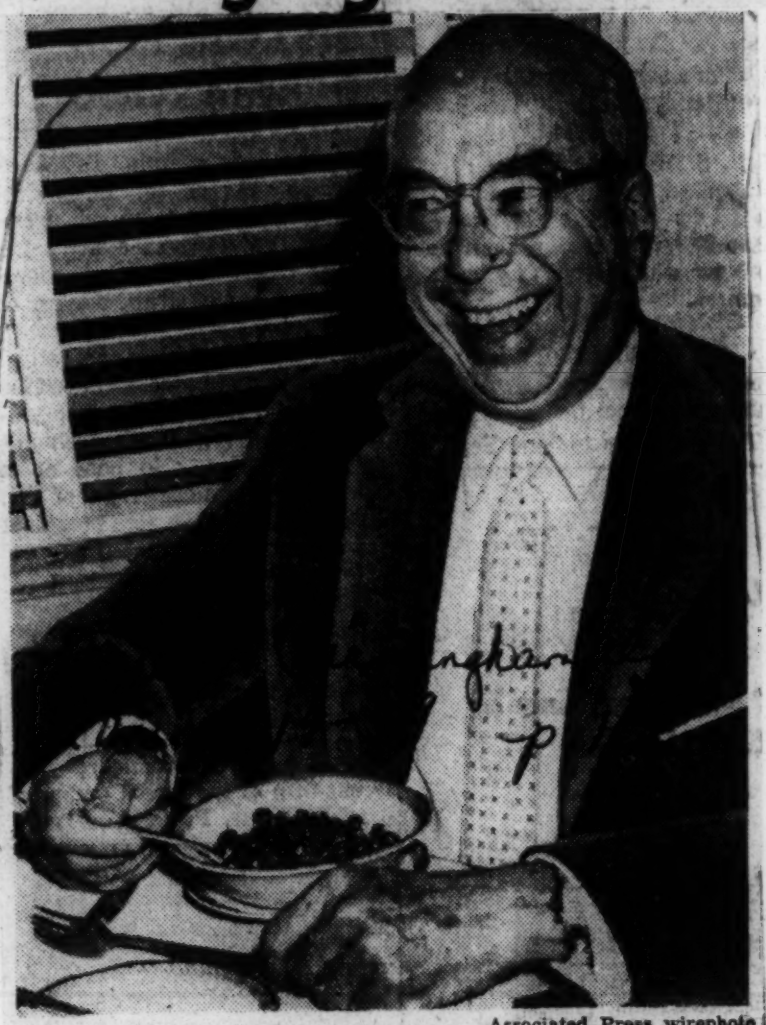
"Q. In public facilities.

"Eisenhower: —In other words, that interfere with the citizens' equality of opportunity in both the economic and the political fields.

"Q. Yes, sir.

"Eisenhower: I think to that extent, that is morally wrong, yes."

So Eisenhower still withheld his personal view on school segregation, except to any extent that—as some have argued — separate schools mean inferior schools for Negroes, thus handicapping them in qualifying for better jobs.



Associated Press wirephoto

STRAUSS STILL SMILING AFTER DEFEAT
. . . Cabinet officer at breakfast this morning

President grim, bitter—

People lost, says Ike on Strauss

p. 1 3d Republican
News Birmingham Ala.

WASHINGTON, June 19—(AP)—President Eisenhower said today that the American People are the losers in what he called the sad episode of Senate rejection of Lewis L. Strauss as secretary of commerce.

The grim-faced president took the highly unusual step of calling newsmen into his White House office to read a brief statement.

AT THE OUTSET, Eisenhower noted that the Senate last night refused to confirm Strauss for the cabinet post.

The turn-down came in a dramatic post-midnight roll call, 49-46.

Eisenhower went on to praise Strauss warmly.

He called Strauss a man who has loyally, honorably and effectively served his nation under four presidents.

Eisenhower said further that if the nation is to be denied the right to have officials of proven ability and integrity in responsible government positions, then "indeed it is the American people who are the losers in this sad episode."

THE STATEMENT was squarely in line with the position the president has taken throughout the long fight—that Strauss is an effective, dedicated and upright public servant.

Opponents on the other hand had argued that Strauss had been devious and less than frank in his dealings with Congress and the people.

The issue of public vs. private power had also come into the affair through Strauss' connection as head of the Atomic Energy Commission with the bitter Dixon-Yates controversy.

Eisenhower read his hand written statement before a hastily set-up battery of cameras and floodlights.

He strode briskly into his oval, green-carpeted office after a conference in a small anteroom with Strauss.

News

The Strauss visit was hastily set up after last night's Senate action. It ran about 20 minutes.

STANDING BEHIND HIS BIG desk, the president read this statement:

Fri. 6-19-59
p. 24

"Last night the Senate refused to confirm the nomination as secretary of commerce of Lewis Strauss—a man who in war and in peace has served his nation loyally, honorably and effectively under four different presidents.

"I am losing a truly valuable associate in the business of government. More than this—if the nation is to be denied the right to have as public servants in responsible positions men of his proven character, ability and integrity—then indeed it is the American people who are the losers through this sad episode."

There still was no indication what Eisenhower would do next about the commerce post.

LATER STRAUSS told newsmen he harbors no bitterness.

Talking informally in the White House press room after his meeting with Eisenhower, Strauss said he had learned from former president Herbert Hoover and the late Sen. Robert A. Taft (R., Ohio) "how to conduct oneself in adversity."

Strauss said his plans for the future are not fixed—there are many things he would like to do but he has yet to decide on any priority.

"I have to consider my wife," he said. "She has subordinated her life to mine for too long."

The former Atomic Energy Commission chairman said at the outset that he had nothing to add to the formal statement he issued early today after the Senate vote. He then repeated that statement, in substance, from memory.

The gist was that he had sought as a government official to protect the security of the nation even when his course was unpopular and that he expects history to be "just."

ASKED TO CITE an example of such action in the face of disagreement, Strauss said that he believes "going ahead with the hydrogen bomb was at the time very unpopular."

The H-bomb controversy also was one issue in the Senate fight over his nomination. Sen. Clinton P. Anderson (D., N. M.), perhaps Strauss' sharpest critic, argued that Strauss had tried to claim too much credit for the decision to develop the H-bomb.

When the showdown came, shortly after midnight, 31 Republicans and 15 Democrats voted for confirmation. Against confirmation were 47 Democrats and two Republicans — Sens. Margaret Chase Smith of Maine and William Langer of North Dakota.

Senate Democratic Leader Lyndon B. Johnson of Texas voted against Strauss, as did most other senators who had not disclosed their stand in advance of the roll call.

Strauss issued a statement thanking Eisenhower and the senators who had voted for him and adding:

"I have done the best I knew how to do—to protect and defend the national security even when that was not the recognized, nor easy, nor popular course of action at the time.

"I leave with confidence that history will be just."

The outcome had been regarded as in doubt right up to the last, and it hung in the balance almost until the final vote was recorded.

JOHNSON immediately asked that the president be notified—a customary courtesy to speed papers to the president once his nominations are confirmed.

In this case, however, Senate attaches said that as soon as the president is officially notified of the Senate's action, Strauss will go off the payroll.

He has been serving as secretary of commerce since last November under a recess appointment.

Strauss' nomination was submitted to the Senate last Jan. 17. Opposition to it gradually gathered momentum during 16 days of stormy hearings by the Senate commerce committee, which last month recommended confirmation by a 9-8 vote.

DEBATE GOT UNDER WAY in the Senate on June 5. It went on sporadically for two weeks. Then Johnson suddenly served notice shortly after the Senate met at noon yesterday that the Democrats were ready to vote.

With three Republican senators away, Strauss supporters immediately began a round of delaying speeches while urgent calls were put in for the absent members.

Sens. Thruston B. Morton (R., Ky.), chairman of the GOP National Committee, and Wallace F. Bennett (R., Utah) sped here by plane from the West in time to vote.

However, Sen. Milton R. Young (R., N. D.), another supporter of Strauss, was still winging his way to the capitol in a jet plane when the vote was taken.

But to balance off the absent Young, Sen. Mike Mansfield (D., Mont.) agreed to withhold his vote against Strauss in what the Senate records as a pair.

President Talks On Opportunity

World Sat. 7-11-59 Republican
Birmingham, Ala. 34

BY MERRIAM SMITH

WASHINGTON (UPI) — President Eisenhower said Wednesday he believes racial segregation is morally wrong when it interferes with equality of opportunity.

He explained he was referring to equality of opportunity in affairs controlled by government and in the economic and political fields.

This was the President's first flat statement of his personal feelings on segregation. It was made at a press conference attended by 190 reporters.

Heretofore in the field of civil rights, the President has more or less confined himself to statements that it is his duty to support enforcement of the law as interpreted by the U. S. Supreme Court.

He has steadfastly refused in the past to express an opinion on the principles considered by the court, especially in the school integration cases.

The President discussed the morality of racial segregation briefly in response to a question.

The questioner, excluding legal aspects of the problem, then asked the President simply: Do you think racial segregation is morally wrong?",

The President said in a broken sentence that he supposed the questioner referred to certain phases of segregation - segregation covered by local laws.

The reporter interjected that he was referring to public facilities.

Eisenhower continued, saying that segregation that interfered with equality ofopportunity in the economic and political fields was in his personal opinion, morally wrong.

In this brief exchange he did not mention schools, the center of the integration battle in the South stemming from a Supreme Court anti-segregation decision.

To some it appeared the President was voicing a personal opinion, as distinct from his constitutional duties as chief executive under the law and the findings of the high tribunal.

To others, his choice of words, his reference to local laws, appeared to include schools or any other function of any level of government.

—AP WIREPHOTO.

MAJ. GEN. ALEXANDER ZAWADSKI, left, president of Poland, and Vice-President Richard Nixon take part in a toast during a reception Tuesday in Warsaw. The man in the background is unidentified. Nixon is expected to return to Washington Wednesday.

Nixon Urges Idea Swap, Halt to Racial Prejudice

Vice-President Will Fly Back Home Today

New Orleans, La.

By JOHN SCALI

WARSAW, Poland (AP)—Winding up his handshaking tour in the Communist world, Vice President Richard M. Nixon Tuesday called for an end to racial prejudice and an increase in the free international exchange of ideas.

Nixon flies back to Washington Wednesday after 15 days in the Soviet Union and Poland. He was the highest U. S. official to visit the Communist world since World War II. His trip is now to be followed by the exchange of visits between President Eisenhower and Soviet Premier Nikita Khrushchev.

Cheers continued to echo in Nixon's ears as he went through Warsaw, but the tour took on a somber note with a visit to the site of Warsaw's Jewish ghetto, obliterated in World War II by the Nazis.

The ghetto is about one-third rebuilt, although only a few thousand Jews remain of Poland's prewar three million.

'FORGET TOO QUICKLY'

Nixon walked through the rubble, looked around and told newsmen: "We think here of the terrible suffering of the people of Warsaw and Poland. This ruined building is more than a memorial. It brings home lessons that we forget too quickly."

"Men of good will, whatever their economic, political or social philosophy should be united in fighting against prejudice because we have here a grim reminder of what happens when such forces are unleashed," Nixon said.

"As we move into what we hope will be a period of peace, we must wage a battle against the forces that would inspire and stimulate such religious and racial hatreds."

He also laid a wreath on a mass grave outside Warsaw in the Palmiry Forest, where 2,000 Poles were slaughtered by the Nazis. He was the first foreign dignitary to visit the site, the Poles said.

HIGHLY SATISFIED

He had lunch with Polish officials, including Communist party chief Wladyslaw Gomulka and Premier Josef Cyrankiewicz. Nixon's press spokesman said serious subjects were discussed, but did not elaborate. The spokesman added that Nixon is "highly satisfied with the success of his visit to Poland."

Warsaw was abuzz with rumors that Eisenhower will come here when he visits the Soviet Union, but there was no official confirmation of this.

Nixon visited the rector and faculty of the University of Warsaw as 2,000 Polish students cheered.

Scores of police locked arms to protect Nixon from the enthusiastic crowd as he drove up. But some students broke through and showered Nixon's car with flowers.

Nixon drew loud applause from the faculty by urging a greater flow of teachers, professors and students between the two countries.

"We can have different points of view or ideas," he said, "but the main thing is to have an open mind and to have an exchange and clash of ideas. I look to the day when we can have a far greater exchange of teachers of our great institutions of higher learning."

CARDINAL ABSENT

Nixon shook hands with professors who either had lectured in the United States or are about to begin American assignments.

One professor told him he had lectured at the University of Wisconsin in 1937.

"That was the year I graduated from law school at Duke," Nixon recalled. "I used to be a lawyer but I couldn't pass an exam today."

Nixon also greeted an attractive blonde mathematics teacher, Ellen Rasiowa, who told him she is going to the University of Chicago in September. The wife of a lawyer, she said she has two children.

Nixon stopped briefly at St. John's cathedral in the old section of the city.

Stefan Cardinal Wyszynski, the most powerful anti-Communist force in Poland, was absent. "away on vacation," said the Roman Catholic priest who escorted Nixon through the church.

Cardinal Wyszynski ministers to Poland's millions of Catholics under a delicate truce with the Communist government. His absence obviously was a diplomatic move to avoid anything that might sour church-state relations.

BUNCH OF FLOWERS

For the first time in Nixon's Polish tour, he was accompanied to the church by soldiers in uniform. Five Polish army officers with yellow bands on their caps, who serve as a military guard of honor, elbowed people away.

The officers were from Poland's Kosciuszko Warsaw division, named after the famous Polish general who fought the redcoats in the American revolution.

As he left the church, a Polish woman lifted her little girl high up to reach over the top of Nixon's limousine and hand him a small bunch of flowers.

Hundreds had gathered as word spread in the cobblestoned streets of his unexpected arrival.

He stood up out of the door of the car to shout to the people in Polish "Long live Polish-American friendship." They applauded and cheered.

Then the little girl stretched forward with her gift. Smilingly Nixon took it. He reached over and handed her a gift in return — one of the ball point pens with his name on it that he has been giving out on his trip.

The gesture was greeted by laughter, smiles and a loud round of applause.

34d 1959

Pro-Rockefeller Forces Use Willkie Strategy

Formation of 'Political Greenhorns' In California Starts Off-Beat Drive

By JACK BELL
Associated Press Staff Writer

The same off-beat campaigning that landed the 1940 Republican presidential nomination for Wendell L. Willkie apparently is under way for Gov. Nelson A. Rockefeller of New York.

Responsible Republicans brought to last week's meeting of the G. O. P. National Committee here reports that supporters of Gov. Rockefeller are seeking to enlist political amateurs — businessmen and others—as Rockefeller backers.

A G. O. P. national committeeman who has participated in several presidential campaigns described the tactics being employed as similar to those which helped put Mr. Wilkee over. This committeeman said he has personal knowledge that bankers, lawyers, doctors, insurance men and others with influence in their communities are being urged to line up behind Gov. Rockefeller.

California Move

The first outward sign of this cropped up recently with the formation of "Californians for Rockefeller." This self-styled group of "political greenhorns" is headed by Charles Lewsadder, Los Angeles businessman.

A State chairman who supports Vice President Nixon for the nomination said he knew of similar activities elsewhere in behalf of Gov. Rockefeller. He predicted Mr. Nixon's backers soon will be doing the same kind of campaigning on a wide scale.

It was explained that Gov. Rockefeller himself is standing aloof from the activities being carried on by his rooters. He is holding to the line that his only current ambition is to make a good chief executive for his State.

It was noticeable, however, that the Governor lost no time in moving one of his closest advisers, George L. Hinman, into a seat as Republican national committeeman from New York. Mr. Hinman will be in a position there to keep close tab on an organization in which a majority of members obviously favor Mr. Nixon for the party's 1960 presidential nomination.

The Rockefeller forces appear fully satisfied that the committee's n... chairman, Senator Morton of Kentucky, will carry out his pledge to remain neutral in any Nixon-Rockefeller contest.

Has Lot of Influence

The national chairman's position has been used at times in the past to favor one candidate over another. The chairman has a great deal of influence in the choice of the nominating convention's presiding officer and its platform chairman.

He usually names the national committee's Credentials Committee, which hears delegate contests and certifies the temporary roll of the convention, with approval of a majority of the national group.

However, the power of the Credentials Committee was reduced when President Eisenhower's supporters forced in 1952 a revision of a 40-year-old rules under which contested delegates could vote on the seating of other contested delegates, but not for themselves.

Supporters of both Mr. Nixon and Gov. Rockefeller think that, when the time comes, Senator Morton will consult equally with them about the convention's official personnel.

REPUBLICAN

Republicans Pick Chicago For Convention

To Be Held July 25; Central Location, 'Neutrality' Cited

By J. A. O'LEARY
Star Staff Writer

The Republican Party today selected Chicago for its 1960 presidential nominating convention which will start July 25.

Ray C. Bliss of Ohio, chairman of the site committee, said Chicago was picked because of its central location, adequate hotel facilities and because it is neutral territory. He pointed out that both New York and California have potential presidential nominees.

Another factor was sentiment—1960 will be the 100th anniversary of Abraham Lincoln's first nomination in Chicago.

Democrats in Los Angeles

The Democrats will hold their 1960 convention in Los Angeles starting July 11.

The G. O. P. National Committee also was faced today with a plea from Senator Goldwater of Arizona that if Senator Thruston Morton of Kentucky is elected new national chairman, he be given a full time professional assistant.

Senator Morton is expected to retain his Senate seat and Senator Goldwater said he would tell the committee the party needs an experienced political manager devoting full time to building up the organization for next year.

Senator Goldwater, as chairman of the Senatorial Campaign Committee, joined Representative Simpson of Pennsylvania, head of the Congressional Campaign Committee, last week in urging the party to pick a national chairman who could give full time to the job. Senator Morton is expected to retain his seat in the Senate.

Drop Opposition

Before the national committee gathered yesterday these two members of Congress had abandoned any effort to stop the selection of Senator Morton.

But Senator Goldwater said that when he addresses the committee this afternoon he will recommend that the party employ some one who can work full time at building the Republican organization under Senator Morton's supervision.

The Republican leaders had their hopes for 1960 buoyed by words of encouragement from both the President and Vice President Nixon.

Mr. Eisenhower wired the committee that Republicans "can look forward confidently to next year's elections if we stand resolutely for and work energetically to implement those fundamentals in which we believe as Republicans."

Mr. Nixon also told the party leaders the G. O. P. can win next year if they all go home determined to put an end to the "defeatism and division which was the cause of much of our difficulty in 1958. . . ."

But the Vice President, addressing a banquet given for the committee members by the District of Columbia Republicans, said there has been "too much talk about a new image for the Republican Party and not enough about the soundness of our principles."

"When we talk exclusively about image, people understandably get the impression that we believe in nothing except what we think may win votes in an election," Mr. Nixon continued. "What we must do is to do a better job of informing the people why our sound principles are in their best interests."

Admits Differences

The Vice President admitted there are differences within Republican ranks but said they are inconsequential compared to factors that divide the Democrats.

Mr. Nixon struck back at AFL-CIO leaders who criticized President Eisenhower for taking vacations at Augusta, Ga. He said this criticism was voiced two days ago at "one of the most well-heeled meetings of unemployed ever held." He called such criticism "the cheapest kind of demagoguery" and pointed out that Presidents have always sought relaxation from their strenuous duties.

He said former President Truman went to Key West, Franklin D. Roosevelt to Hyde Park, Herbert Hoover on fishing trips and Calvin Coolidge to the Black Hills, S. Dak.

Although Senator Morton is believed to be acceptable to Mr. Nixon as the new chairman, there were indications that friends of Gov. Nelson Rockefeller of New York also are agreeable to his selection.

L. Judson Morhouse, New York State Chairman, told a reporter he regarded Senator Morton as "a dispassionate, fair-minded man" and added, "I don't think he is anybody's man."

Senator Morton is regarded as a middle-of-the-roader, who can work with both the conservatives and liberals in the party.

In any event, custom dictates that at the close of the 1960 convention, the presidential nominee will be given an opportuity to say who should run the party organization during his campaign.

High Officials See Herter As New Secretary

WASHINGTON (AP)—High administration officials predicted Wednesday that Christian A. Herter, a long-time New Englander, would be named secretary of state within a few days.

As a new director of the nation's foreign policy, he could be expected to carry on without major changes the search for reasonable agreements with the Soviet Union which do not sacrifice basic principles.

Chairman J. William Fulbright of the Senate Foreign Relations Committee said it would be wise for President Eisenhower to promote Herter, who has been acting secretary during John Foster Dulles' illness.

"It's the logical move and I think it'll happen soon," Fulbright said.

ONLY 18 MONTHS

Eisenhower doesn't like to break in new men. And you want to remember the Republicans have got only 18 more months in office," he added.

Republican Senate Leader Everett M. Dirksen said "I would think generally" that Herter would be picked. But he said he had no definite information from the White House.

If he knew the answer, the 64-year-old Herter wasn't saying. He checked into his State Department office about 8 a.m., an hour before most of the department's 18,000 employes report to work.

When Eisenhower sadly announced Dulles' resignation in Augusta, Ga., Herter was busy in a staff meeting discussing with aides, among other problems, the latest Soviet buzzing of a U. S. plane flying to West Berlin.

TRAY LUNCH

Afterward, he stayed in his office, eating lunch on a tray at his desk. He declined to make any comment. He turned down photographers' requests that he pose for pictures.

Two top administration authorities, however, said they were sure Eisenhower has already decided to designate Herter as Dulles' successor. They stipulated they not be named.

Herter has been groomed for the job, with Dulles' approval, these sources said, adding there was no reason to believe Eisenhower has changed his mind about the appointment.

Harmony Runs Through Meet Of GOP Women

By ALICE A. DUNNIGAN

WASHINGTON (ANP)—Political economy and a balanced budget was the one harmonious thread which ran all the way through the three-day conference of Republican women meeting here this week.

Although the theme of the conference was actually "Spring Planting," the placards bobbing up all over the banquet hall made some reference to a balanced budget.

President Eisenhower, guest of honor for the evening, got the loudest applause when he said,

Republicans believe that the level of Federal spending should be measured by necessity, not by political opportunism."

• **"No one has ever spent himself into prosperity," continued the President, "but many have spent themselves into insolvency." He said his party was proud of such words as "thrift and frugality and efficiency."**

In his remarks, Senator Thruston B. Morton, the newly elected chairman of the Republican National Committee, assured Mr. Eisenhower that he stands four-square in the "Battle of the Budget."

■

MORTON TOLD the group that he is neither a "flaming liberal" nor an "arch-conservative." "I call myself a middle-of-the-roader and a firm supporter of the sound policies and vibrant programs of President Eisenhower," he emphasized.

The President's banquet was attended by some 2,000 women, about a dozen of whom were Negroes.

Among those observed in the vast crowd were Mrs. Mamie Robinson, Mrs. Evelyn Reynolds and Mrs. Ada Ontelon of Philadelphia; Dr. Corinne Galvin of Ithaca, N. Y., and Mrs. Josie Clinkscales and Mrs. Arnetta Cogwell of Chicago.

From Washington were Edward Peete and Miss Jacqueline Owens and Mmes. Ida Taylor, Beulah Murphy, Willie Mae Pelham, Marjorie Parker, Jane Williams, Louise Sewell, Jean Clore Jones and Wilder Coats.

IN THE NATIONS CAPITAL

Ohio - American
Baltimore, Md.

Morrow's tan vote talk long overdue

Sat. 5-2-59

By LOUIS LAUTIER

WASHINGTON

The speech which E. Frederic Morrow, member of the White House staff, made to the seventh annual Republican Women's Conference was long past due.

The only surprise about his advice to the Republican party on how to win back the colored vote was the source from which it came.

Nobody expected an aide to the President to make the caustic criticism of the Republican party at a Republican gathering that he made. Only platitudes are in order from Administration spokesmen and party hacks at such meetings.

* * *

AN EXAMPLE was the remarks of Attorney General William P. Rogers before Mr. Morrow spoke. Mr. Rogers handed out the usual sop that more has been accomplished by the Eisenhower Administration in the field of civil rights in the last six years than were accomplished in 20 years of Democratic rule under former Presidents Franklin D. Roosevelt and Harry Truman.

That is true. But greater protection of civil rights is expected from the Republican party than from the Democratic Party. The Republican party is not handicapped by a large Dixiecrat element that would defy Federal authority and nullify Supreme Court decisions.

The origin of the Republican party was as a humanitarian reform movement. After the abolition of slavery, the objective of the so - called Radical Republicans was absolute and complete equality for all Americans.

Their aim in adopting the 14th Amendment was to deprive the states of the power to make any racial distinction in the enjoyment of civil rights. Not only were they determined to change the inferior legal and political status of colored people, but to give them the full protection of the Federal Government in the enjoyment of complete and real equality in all civil rights.

* * *

THEY WERE motivated by hard, practical political considerations. They feared that a restored South, in which colored people were denied legal and political equality, would fall into the hands of conservative white political leadership which would threaten the national political control of the "Radical Republicans" themselves.

The Republicans first deserted the principle of absolute and complete equality, for which Charles Sumner and Thaddeus Stevens fought, in 1876. Rutherford B. Hayes, Republican Presidential candidate, was believed to have been defeated by Samuel J. Tilden, Democrat, by an electoral vote of 184 to 163.

The Republicans contested the 29 electoral returns from Florida, South Carolina, Louisiana and Oregon. Frauds in Louisiana, injuring Tilden were allowed to stand.

A deal to withdraw Federal troops from the South was reportedly used to bribe the Democrats. An Electoral Commission, appointed by the Congress, declared Hayes elected. Troops were withdrawn from the South and the Southerners were left free to disfranchise and oppress them.

* * *

IN THE Hoover Administration, President Hoover, as the titular head of the Republican party, decreed that the black and tan leadership had to be eliminated and party control in the southern states turned over to respectable white men.

The Republican party has never been the same since. In the 1932 election, colored voters deserted the party and voted for FDR. Not since 1932 has a Republican Presidential candidate received the majority of votes in wards and precincts which are predominantly colored.

The Eisenhower Administration has a good record in the field of civil rights. Under both Truman and Eisenhower, the Justice Department participated in the Thompson Restaurant case, which ended discrimination in restaurants in the District of Columbia, and in the school segregation cases.

The Eisenhower Administration also saw to it, immediately after the Supreme Court decisions, that racial discrimination was ended in places of entertainment and public accommodation in Washington, and that the District of Columbia public schools were desegregated.

* * *

NOT ONLY did Mr. Eisenhower send Federal troops to Little Rock to enforce a Federal court decree for desegregation of Central High School there, but he has repeatedly stated that he will enforce such decrees wherever and whenever necessary.

This, it appears, has had a restraining influence on Governors of other southern states who would have followed the lead of Gov. Orval Faubus of Arkansas in using the Arkansas National Guard to block the entry of colored children into previously all - white schools.

Mr. Eisenhower's appointments to the Supreme Court of Chief Justice Earl Warren and Associate Justices John M. Harlan, William J. Brennan Jr. and Charles E. Whittaker are commendable. They make the court an Eisenhower court. No other court has as enviable a record in the field of civil rights and civil liberties.

Yet, the Republican party has not been able to make any substantial headway in winning back the support of colored voters.

* * *

THE FAILURE must be charged to those who manage its affairs. In this day of highly developed mass communication, Republicans cannot pay lip - service to civil rights in the North and tell Dixiecrats in its Operation Dixie that they are the party of segregation. Colored voters nowadays are too mature for that kind of peanut politics.

Mr. Morrow's advice is sound. Let the Republican party seek recruits who believe in the principles of the party—not Dixiecrats whom the Democratic party no longer wants.

Until it does that, it cannot compete with the Democratic party in two - party states for the colored vote. If it does not do that, it may as well forget about the colored vote.

Says Racism Won't Be '60 Election Issue

Defender Chicago, Ill.
Sat. 6-27-59

DENVER — (UPI) — Gov. Cecil H. Underwood of West Virginia said he does not believe segregation will be a "very serious problem" for Republicans in the 1960 election.

Underwood, speaking at a news conference over the week end at thel Young Republican National Federation, said he thought it would be a "waste of time" for either party to make segregation an issue of next year's campaign.

The 36-year-old governor also told newsmen the possibility of his being a candidate for vice president next year has been mentioned to him "several times." But he said he has made no political plans beyond the expiration of his four-year terms in 1960.

Underwood told the Young Republicans the Republican Party has the responsibility of preserving the federal system of government in the U. S.

34d 1959

REPUBLICAN

CHRISTIAN A. HERTER TAKES OATH AS SECRETARY OF STATE
. . . President Looks On As White House Officer Conducts Ceremony.

Herter Takes Charge Of State Department

34d Republican

WASHINGTON (AP)—Christian A. Herter took over formally Wednesday as secretary of state. President Eisenhower told Herter he is the best qualified man available to direct the nation's foreign policy.

Eisenhower publicly pledged his full support as the former Massachusetts governor was sworn into office at the White House succeeding John Foster Dulles. Dulles, seriously ill with cancer, resigned.

Also present were President Richard M. Nixon, congressional leaders, virtually the entire Eisenhower Cabinet and Herter's family witnessed the brief ceremony as he took over as the 54th secretary of state.

An applauding throng of some 200 State Department employes greeted their new chief afterward. Herter, who once was a junior foreign service officer, promised they would all work together to strive to keep the United States and the world at peace.

At the White House, the 64-year-old New Englander, standing without the crutches he frequently uses because of arthritis, told Eisenhower he deeply appreciated the President's trust in picking him for the job.

"You know you have that" Eisenhower replied.

Herter has been No. 2 man in the department, as undersecretary, for the past 26 months.

In congratulating Herter, Eisenhower twice referred to Dulles. Mrs. Dulles and the former secretary's brother, Central Intelligence Agency Chief Allen Dulles, were on hand.

Shaking Herter's hand, Eisenhower told him: "As you well know, you and I were strongly hoping and praying for Foster's early recovery so that he could take over again his duties as secretary of state.

"You also know he and I were as one in deciding you were the man best qualified to take over.

"As you take this commission and start on your new duties, God bless you. I know all the people of the United States hope for your success."

Watching Herter were his wife and their three sons, Frederick, Christian Jr., and Miles, and daughter Adelen Seronde. The oath was administered by a White House staff member.

Eisenhower's role in the ceremony took only a few minutes.

To demonstrate his support of Herter, Dulles countersigned Herter's commission Tuesday night from his bed in Walter Reed Army Hospital.

Eisenhower's press secretary, James C. Hagerty, said Dulles requested that he be continued in office so he could do this. Dulles'

resignation did not take effect until his successor was qualified. He signed Herter's commission a few hours after the Senate confirmed appointment.

Vardaman Says Little Rock-GOP Link Now Ignored By Southerners

BY PHIL SMITH

Southerners no longer identify the Republican Party with Little Rock, Vardaman says.

They might have at first, but that began to fade after national Democrats showed they were just as eager for pressing the Arkansas city for adherence to Supreme Court rulings as was the national GOP leaders.

The Republican, Claude O. Vardaman's view. Vardaman is chairman of the Republican State Executive Committee for Alabama.

Vardaman's views were expressed Sunday when he was broached for an opinion of Republican National Chairman Meade Alcorn's admonition to GOP local committeemen to "defeat the image that the Republican Party is the party of big business."

Alcorn's suggestion came in a questionnaire, which United Press International said yesterday was being mailed to committeemen all over the nation.

It calls for county chairmen to start "developing strong candidates for 1960, although the election is 21 months away."

Vardaman said he had not received the Alcorn communique.

He said that the Meade proposals for rebuilding the 1958-defeated Republican Party were not applicable, anyway to Alabama, inasmuch as the South is a "peculiar island."

Vardaman certainly does go along with the Republican chairman, he says, on the "big business" image being ill-applied to the Republican party:

"Studies a few years ago showed that more Democrats than Republicans were millionaires."

"The Republican party is definitely not the "rich man's" party."

Vardaman believes the strong backing of organized labor heretofore historically created the image. But, that, too, has changed since "labor has been lately switching to the Republican Party or voting independently."

Alcorn's speech, UPI reported, was mailed to 3347 chairmen and vice chairmen of Republican committees and other local organizations.

Alcorn asks, in the questionnaire:

"What, if anything, is being done in your county now toward developing an outstanding group of local and congressional Republican candidates in 1960 and helping them to become well-known in the community?"

Read the question, Vardaman replied: "That's a long way away."

Another Alcorn suggestion to local Republican committeemen is to set up a "Citizenship Service Committee' to conduct a sort of public examination for potential contenders for Republican nominations.

This could hardly be set up at the time, or possibly never, in Alabama, Vardaman feels.

Alcorn is sending along to chairman, too, copies of his Jan. 22 Des Moines speech, in which he offers several suggestions for rebuilding the party.

Vardaman said he had received that letter. He'll be awaiting the questionnaire, he says.

Banquet For The Ballot

This Thursday night in the Masonic Temple Auditorium, the Abraham Lincoln Republican Club is sponsoring its sixth annual banquet. It is expected that this will be more of a political spirit-building than fund-raising event. The sales price of the banquet tickets would seem to suggest this.

Dr. George D. Flemmings, the Texas-born GOP spirit-builder, is a distinguished American. He has demonstrated his interest in the basic American credo of equality of opportunity; of political equality and of manly freedom. In his hometown of Fort Worth, Texas he has served as president of the local Branch of the NAACP. NAACP leadership is usually the trade mark of the best brand of leadership in the area of civil rights and effective democracy.

It is co-incidental that the ALRC's banquet is coming at a time when certain Black Belt politicians are seeking to return Alabama to the $36 poll tax burden. These same politicians are advocating a "white supremacy" voter-registration system. Yet these back-looking politicians make no move to carry out the Alabama constitutional mandate on political re-apportionment.

All of these things should be of interest to the GOP organization in Alabama. Must it be left to the leadership of the Abraham Lincoln Republican Club to speak out on these issues? As a party which has stood for fair voting opportunities, how can the official state GOP organization be unvocal, unworking, and unheard from on these vital issues?

Alabama is a low-vote state. New laws being drafted are designed to keep political suffrage scaled down to the point that the voice of the people can be choked; their aspirations frustrated and progress stifled. Some new voter-registration laws being formulated as crude restrictions rather than reforms. The rural or farm population which has lesser educational opportunities than the cityfolk; the labor segment, unpopular minorities would all feel the rough heel of these tighter voter-registration laws.

All of this should make the Thursday night ALRC event a banquet for the ballot. A ballot fest is more to be desired at this time than an eatfest, it seems to us. If the annual chew and clap event fails to arouse civic leaders to bestir on voter-registration a glorious opportunity will have been passed up. Political action is the fruit of voter-registration action. The key to building a competiting two-party system in Alabama lies in unhampered and unthwarted voter-registration.

Until the GOP throws its weight behind a program of fair and full voter-registration, so long will it be far away from the day it can take its right place in Alabama politics. The state GOP needs in its organization the unused strength and spirit of the Abraham Lincoln Republican Club leadership. For the ALRC leaders seem to have ideas and a program suited for a grassroot appeal to voters and also those who should have the privilege of voting.

The ALRC banquet could fill a political void at this hour. It should provide a forum for our local political action leaders to voice an appeal for fair-play in voter-registration and to challenge the formalized state GOP leaders to take the stump for wider voter-registration opportunities. This should be made a meaningful banquet.

GOP Failed Negro Race, Says Official

WASHINGTON (AP)—A White House Negro official said Tuesday the Republican party has failed to win support of Negro voters because, he alleged, it has not recognized Negroes as first class citizens.

E. Frederic Morrow, who since July 11, 1955 has been a White House administrative officer, made this criticism in a speech before the seventh annual Republican Women's Conference.

Morrow, of Hackensack, N.J., was educated at Bowdoin College and Rutgers University law school. He told the 1,300 women delegates:

"The basic failure of the party to recognize Negro-Americans as first class citizens, with all the hopes and aspirations that go with this role in American life, it the primary contributing factor to the party's failure to attract and to hold the Negro voters' loyalty."

Morrow said the GOP can win in 1960 if it "stands for something beyond the usual lip service to obvious ideals."

At another point he said the party must realize that Negroes all over the land are alert and militant "over the issue of first class citizenship."

"They will support any party or individual who will give more than lip service to their cause, and who will actively preserve, protect and defend the inalienable rights of all loyal Americans," he added.

Morrow excepted President Eisenhower from his criticism, saying:

"Despite the brilliant record of the administration on a national scale, President Eisenhower's philosophy of democracy has not penetrated the local precincts, the county and state governments, and local party machinery.

"And until it does, there is no remedy available that will overcome the Democratic party's ballyhoo that it is the poor man's party, and despite the intolerance

of the South on the matter of human rights, that it—the Democratic party—has an exclusive patent on a brand of democracy that embraces the downtrodden and the damned."

Morrow said the Negro voter wants "visual evidence of the sincerity of Republican leadership on the matter of human and economic rights."

'GOP Must Recognize Negroes As First-Class Citizens'-Morrow

By ALICE A. DUNNIGAN

WASHINGTON—The Republican party will never be able to win elections until it learns to "recognize Negro-Americans as first-class citizens," declared E. Frederick Morrow, administrative aide to President Eisenhower.

Addressing the conference of Republican women meeting here, Morrow stated that the Grand Old Party went "down to ignominous defeat last November "because it failed to realize the hopes and aspirations" that go with the Negro's role in American life.

It can do the same thing in 1960 unless some soul-searching leaders will comprehend and utilize issues which will attract and hold the loyalty of the Negro voters.

• "As long as we think of them as separate entity—as something different and apart from the general American community—just so long will we try to concoct wrong formulae for their allegiance, that will alienate rather than attract their suffrage."

Morrow told the Republicans that they can no longer preach to Negro voters with any hope of success, the fact that they should be everlastingly loyal because of what President Lincoln did.

• "It should be repugnant to the party's own sense of decency to expect a race of people to forget and ignore the realities of the time, and to be eternally grateful to a party that helped to return to them their God-given rights of physical freedom and personal respect."

In reply to the question so often raised on what does the Negro want, Morrow replied that America's leading minority only wants 'the right to walk this land in dignity and peace, unfetterd by restricting bonds of race, color, caste or previous social condition . . . Because we are Americans, indigenous to the American soil, we should be expected to accept nothing less."

■

THE ONLY WAY the Republican party can win in 1960, said Morrow, is to go "beyond the usual lip service to obvious ideals—this something being principles and policies that will advance the best interest of the entire nation, and that can be identified and judged by the sovereign voters of our country."

• The White House aide warned the Republican party that it "must awake to the fact that Negroes all over the land are alert and aware and militant over the issue of first-class citizenship. They will support any party or individual who will give more than lip-service to their cau , and who will actively preserve, protect and defend the inalienable rights of all loyal Americans."

He gave the Administration credit for making a "brillian' record," but President Eisenhower's philosophy of democracy has not penetrated the local precincts, the country and state governments, and the local party machinery.

And until it does, said Morrow, there is no remedy available that will overcome "the Democratic party's ballyhoo that it is the poor man's party."

■

HE REMINDED the grand dames of the GOP that in spite of the intolerance of the South on the matter of human rights, "the Democratic party has an exclusive patent on a brand of democracy that embraces the downtrodden and the damned!"

If these grand ladies pretend to be patriots, then they must realize that their attitude toward basic human liberties at home is carefully scrutinized abroad. He reminded them that the colored people who make up America's minority compose the majority in many parts of the world. And Americans cannot preach the brotherhood of God in Africa and Asia when they do not practice the brotherhood of man within their own borders.

William Stewart Wins GOP Post

William O. Stewart, president of the Third Ward Young Republican Organization, was elected secretary of the Illinois Young Republican Organization at the group's recent state convention, held February 27-28 at the Hotel Orlando in Decatur, Ill.

The former vice president of the Cook County Young Republicans is the first Negro to run for the coveted spot.

Attorney Richard Watling, of Oak Park, a Harvard grad and Phi Beta Kappa succeeded William Rentschler of Lake Forest as president, and Atty. William Scannell, 7th ward, succeeded Atty. Robert Power, 4th as vice president.

The following appointments were made in the First Congressional District: Assistant Atty. Gen .Calvin Campbell, 29th ward, was named district governor, Charles E. Gines, second ward, deputy governor; Lawrence Still, third ward, state Newsletter committee, and Asst. State's Atty. William Cousins, Civil Rights csairman.

Robert Taft, state representative of Ohio, the principal speaker, declared "The Republican Party needs new faces and must take a positive stand on all issues in order to survive."

ALCORN TO QUIT 'RELUCTANTLY'

Sen. Morton Is Top Prospect as Successor

(Picture on Page 1)

By DOUGLAS B. CORNELL

WASHINGTON (AP)—Meade Alcorn notified President Eisenhower Wednesday he is quitting reluctantly as chairman of the Republican National Committee — at a time he sees "strong promise for our party's resurgence."

Eisenhower voiced great regret at the decision.

The resignation will be submitted formally at a meeting of the national committee here April 10-11. Alcorn said he hopes a successor will be chosen at that time.

At least 25 possibilities have been mentioned as a replacement, Alcorn told a news conference. He declined to express a preference or to size up the chances of any one individual.

MORTON HINTED

But one party authority listed Sen. Thruston B. Morton of Kentucky as a top prospect. Eisenhower is known to have a high regard for Morton as one of those he regards as modern moderates.

The senator said at Louisville that Eisenhower once told him, "Morton, you might be the guy," in the event Alcorn decided to step out as national chairman. He said he isn't seeking that post but would accept it if he felt the various segments of the party wanted him.

Alcorn, like Morton is 51. He is regarded as a GOP liberal and a tireless worker for the Republican cause. He has been national chairman since January 1957.

NO SALARY

The chairman said personal reasons dictate a return to his law practice at Hartford, Conn. He accepted no salary as chairman and told newsmen this had meant a considerable financial sacrifice.

Discussions with President Eisenhower, Vice President Richard M. Nixon and many members of the national committee preceded the announcement of the resignation.

Alcorn called at the White House Wednesday morning and presented a letter to Eisenhower, formally disclosing his intention to quit the party helm. The President's "qualities of genuine leadership," he said in the letter, have survived every adversity the party has suffered.

HAILED BY IKE

These qualities, Alcorn predicted "will save our party as they have saved and are saving our country."

He said programs adopted by the national committee at Des Moines, Iowa, in January, offer strong promise of a party resurgence.

In a letter of reply, Eisenhower told Alcorn he has been an outstanding spokesman who has represented the party "forthrightly and with honor." He, too, said he expects the new program to be a major milestone for the GOP.

RELEASES NAMES

Talking with newsmen, Alcorn said he has discussed with Eisenhower a great number of possibilities for the chairmanship.

One of them, Ohio GOP Chairman Ray C. Bliss, Alcorn said, authorized him to say he is not available.

Under pressure, Alcorn gave out additional names, which he said are only a partial list of persons mentioned:

David Kendall, an Eisenhower aide; Fred C. Scribner, under secretary of the Treasury; Secretary of the Interior Fred Seaton, Postmaster General Arthur E. Summerfield, Rep. Gerald R. Ford of Michigan, and Charles H. Percy, Chicago businessman. Percy is chariman of a 43-member committee assigned to map long-range objectives of the party.

CAPEHART AVAILABLE

Percy said in a Chicago statement that he has not been asked to accept the chairmanship, nor has he been approached on the matter. He added:

"Nor, if asked, could I consider accepting this or any other office."

Then there was Sen. Homer Capehart of Indiana. Capehart said he isn't trying for the job but would be available if the administration and the great majority of the GOP leadership tapped him for it.

A senator wouldn't have to resign in order to accept the chairmanship. Various senators and House members have served in the dual role.

Alcorn plans to appoint a committee of seven to talk with President Eisenhower next week about a successor.

The President, Alcorn said, has made it clear the selection is up to the national committee rather than himself. But in something of an understatement, Alcorn added that "the committee obviously will be tremendously influenced by his thinking."

—AP WIREPHOTO.

SEN. THRUSTON B. MORTON
May succeed Alcorn.

SENATOR ALCORN MEADE
CHAIRMAN OF THE REPUBLICAN NATIONAL COMMITTEE
(SENATOR THRUSTON B. MORTON)

President and Mrs. Eisenhower thank the visiting minister at Gettysburg Presbyterian church, Rev. Garnett Lee, who offered special prayers for the Chief Executive on his journey.

ARRIVES IN GERMANY

Daily World

Ike On Nuclear Age "Crusade"

Atlanta Ga.

Thurs. 8-27-59

BONN, Germany — (UPI) — President Eisenhower, who le dthe Allied Armies that crushed Germany 14 years ago, returned here Wednesday to begin a nuclear age crusade for "peace with honor and justice."

The President pledged in an eight-part statement that the United States would support the people of West Germany and West Berlin in their determination to remain free.

West German Chancellor Konrad Adenauer, in a welcoming statement, hailed Eisenhower as "the flag bearer of freedom in the whole world."

Eisenhower landed at nearby Wahn Airport in a Boeing 707 jet airliner to begin a critical round of Western European talks designed to weld a solid Western front before he meets with Soviet Premier Nikita Khrushchev next month.

The plane touched down at 6:27 p. m. 1:27 p. m. e.d.t. three minutes ahead of schedule.

IKE WELCOMED BACK

The U. S. President was welcomed back in triumph by West Germans as the free West's leader in the cold war against Communism.

His 10-day-tour - taking him to West Germany, Britain and France-represented the most extensive, personal diplomatic venture by an American President overseas since President Wilson toured Europe on behalf of the League of Nations after World War I.

Adenauer and his entire cabinet were on hand to greet the President along with an enthusiastic airport crowd of thousands of Germans.

An estimated 50,000 other Germans lined the 19-mile route from Wahn Airport to Bonn and its nearby diplomatic suburb of Bad Godesburg where the President was spending the night at the U. S. Embassy resident.

CROWD DISPLAYS SIGNS

Thousands in the welcoming throng were refugees from Communist East Germany. Bystanders put up signs saying, "Ike, we trust you," and "Mr. President, open the gate to the Soviet Zone."

The jetliner carrying Eisenhower, Secretary of State Christian Herter and a high-level official party on the transatlantic flight from Andrews Air Force Base, Md., taxied slowly in front of a 315-man honor guard of West German soldiers, sailors and airmen.

As the door of Eisenhower's plane came to a halt, six West German army howitzers began firing a 21-gun salute. Four West German jet fighters that had escorted the President's plane from the frontier made one last low pass and flew off.

Eisenhower shook hands warmly with 83-year-old Chancellor Adnauer while the West German army band played the U. S. and German national anthems.

EISENHOWER GIVES ASSURANCE

Turning to Adenauer, Eisenhower declared:

"In my country the name Adenauer has come to symbolize the determination of the German people to remain strong and free.

"In the implementation of that determination," Eisenhower added, "the American people stand by your side and send through me their very best wishes for your successful efforts."

The President told Adenauer that "the American People stand by your side in ensuring that the loyal free people of free Berlin will, like yourselves, continue always to enjoy that great privilege."

In Scotland They Like Ike There, 100,000 Strong

Daily World

Atlanta Ga.

Sat. 8-29-59

BALMORAL, Scotland — (UPI) — Queen Elizabeth and 100,000 cheering, bagpiping Scots welcomed President Eisenhower to the Scottish Highlands Friday for a visit with the royal family and a one-day respite from the rigors of his peace mission.

The Queen came to the gates of Balmoral Castle with her sister, Princes Margaret, to personally greet the President. Later, she acted as chauffeur and drove him around her summer vacation estate in a station wagon. They stopped at nearby Birkenhall for a call on Queen Mother Elizabeth.

The President flew to Aberdeen aboard an RAF Comet jetliner from London where he was welcomed Thursday by a million cheering Britons. Here he was greeted by an equally hearty welcome from the traditionally dour Highlanders of Scotland.

HOPE FOR BERLIN

Although it was a holiday for the President, he sent a message to West Berlin Mayor Willy Brandt saying he hoped the crisis in the divided city would be settled during talks "in coming months." The President said "we may realistically hope" for a Berlin settlement based on "fortitude, patience and imagination."

Details of the message were announced in London after Eisenhower rode to the airport through cheering crows and departed from the first visit to Scotland by an American president.

Sat. 8-29-59

Prince Philip, the Queen's husband, was at Aberdeen to greet him during the traditional welcome by guardsmen and bagpipers.

CROWDS CHEER

They drove together the 56 miles to Balmoral along winding roads and through villages where crowds turned out to cheer and shout. Some played phonograph records of bagpipes. Others waved anything they could get their hands on - including golf clubs in one village. The five-car motorcade was delayed at times by crowds surging into the roadway.

This was the one period of rest allowed in the tight nine - day timetable that took the President to Bonn on Wednesday and to London Thursday, and will still take him to Paris to discuss his forthcoming talks with Nikita S. Khrushchev.

Saturday he will travel to Chequers, Prime Minister Harold Macmillan's country estate 40 miles outside London, for two days of talks.

34d 1959

REPUBLICAN

PRESIDENT EISENHOWER
1957-U.S. TROOPS- REQUESTED BY
MAYOR WOODROW W. MANN,(LITTLE ROCK,ARK.)

Little Rock Mayor Wired for Troops

White House Reveals Plea Made By Mann During School Crisis

From Wire Dispatches

Washington, Feb. 11.—The Mayor of Little Rock, Ark., was disclosed Wednesday to have pleaded for the federal troops that President Eisenhower sent there in 1957.

Until now, for all the general public could tell, the bitterly controversial decision was the Eisenhower Administration's own idea. It has hurt his party in the South.

Wednesday the Justice Department released a document covering advice which Herbert Brownell, then Attorney General, gave Eisenhower on what to do in the crisis resulting from opposition in Little Rock to school-integration orders.

The opposition, at its worst, included mob violence.

The Brownell papers published Wednesday included a telegram to the President from Mayor Woodrow Wilson Mann September 24, 1957:

"The immediate need for federal troops is urgent. . . . I am pleading to you as President of the United States in the interest of humanity, law, and order, and the cause of democracy worldwide to provide the necessary federal troops within several hours."

At the time, Mayor Mann refused to confirm or deny that he had requested troops.

Mann was not available Wednesday for questioning on the disclosure of his appeal.

Technically True

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The White House press secretary, James C. Hagerty, declined Wednesday to say why Mann's message was not disclosed at the time. He said:

"You will recall that when I was asked at the time about a report such a message had been received, I said I had no comment, but I never denied there was such a message."

Thus Hagerty passed up a chance to explain why the White House kept silent so long—almost 17 months—in the face of Southern denunciations of Eisenhower as a President who ordered federal troops to the scene on his own initiative. Many Southerners contend this was in disregard of states' rights.

Bitterly Received

One possible explanation, at least for the time when feeling was red-hot: Eisenhower wanted to protect Mayor Mann from possible harm.

Many people applauded the use of troops, especially those who were incensed at Governor Orval Faubus for his use of National Guard troops in such a way as to keep Negroes out of Little Rock's Central High School in the face of court orders to admit them.

However, Eisenhower's action was bitterly received in most of the South and deplored by some in other areas. Politically, a general reaction was that the Republican Party lost ground, perhaps forever, which it had gained in Dixie in 1952 and 1956.

Two other events Wednesday bore on the same general subject:

1. Representative Dale Alford (D., Ark.), ardent segregationist who unseated Representative Brooks Hayes as an aftermath to the 1957 troubles, told the House the F.B.I. has no right to investigate his election. He said F.B.I. agents were now busy in his district. The F.B.I. said it was investigating specific complaints of alleged election irregularities.

2. Robert W. Laster, a segregationist member of the Little Rock School Board, said in the Arkansas capital that if federal troops were sent there again, the people of the state and nation would rebel.

Laster urged Governor Faubus to open Little Rock's four closed high schools on a segregated basis in a showdown with the Federal Government.

Laster said he would make the proposal the next time the School Board met, February 26, and demand that the board take a stand "one way or another."

"We aren't getting anywhere in the course we are following," said Laster, one of three pro-Faubus members of the six-member School Board.

U.S. Reveals Little Rock Mayor Asked for Troops

WASHINGTON, Feb. 11 (AP)—The mayor of Little Rock, Ark., was disclosed today to have pleaded for the federal troops that President Eisenhower sent there in 1957.

Until now, for all the general public could tell, the bitterly controversial decision was the Eisenhower administration's own idea. It has hurt the President's party in the South.

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News in brief—

Meade Alcorn said ready to step down

BY THE ASSOCIATED PRESS

MEADE ALCORN was reported today to be planning to resign as Republican national chairman, a position he has held since January, 1957.

Alcorn declined comment. He told a reporter earlier today he wasn't prepared to say anything at the moment, but he indicated he might have something to say later in the day.

MEADE ALCORN

ALCORN WAS contacted after The Hardford (Conn.) Courant reported that he will resign shortly, possibly today.

This was backed up by Eisenhower administration informants who said the announcement of the resignation is expected today.

Both the administration sources and The Courant said Alcorn wants to return to his Hartford law practice, which he left when he was named GOP chairman. The Courant indicated that Alcorn, now 51, might try for the Connecticut governorship in 1962.

There was no immediate indication who might be named as his successor as Republican chairman. The Courant said Alcorn will stay on the job a short time to give the GOP National Committee a chance to pick a replacement.

THIS CHOICE could be made next week when the committee meets here to select a site and date for the 1960 Republican national convention and act on proposals to reorganize the party's machinery.

Alcorn, an energetic worker and campaigner, launched an extensive party rebuilding program in January in the wake of the heavy GOP losses in last Falls' Congressional elections.

father, the late Hugh M. Alcorn, was the Republican nominee for Governor in 1934.

Sought Office in 1948

In 1948 the retiring National Chairman made his bid for public office by running for Lieutenant Governor. He lost by a margin of about 5,000 votes. Many at the time regarded Mr. Alcorn's candidacy as the opening step in his quest for the governorship.

Since that time, however, Mr. Alcorn has not sought elective office. Nevertheless, the political professionals at the Capitol here are noting that the Republican gubernatorial nomination in 1962 is wide open, and that Mr. Alcorn, because of his national prominence, would be a "natural" for it.

Two of Mr. Alcorn's close political and personal friends in the state also are interested in the Republican Gubernatorial nomination in 1962. They are Edwin H. May Jr., the Republican state chairman, and John Alsop, whose brothers are the nationally known writers.

Mr. Alsop sought the nomination last year. He lost in a convention battle to Fred R. Zeller, the former State Controller. Gov. Abraham A. Ribicoff, a Democrat, defeated Mr. Zeller.

Governor Ribicoff is not expected to seek a third term in 1962. In all probability he will be his party's nominee for the Senate. A contest for the Governorship is shaping up between Mayor Richard C. Lee of New Haven and John Dempsey, the Lieutenant Governor, on the Democratic side.

ALCORN TO RETURN TO STATE POLITICS

Connecticut G.O.P. Expects Retiring National Chief to Take on Active Role

Special to The New York Times.

HARTFORD, April 4—Meade Alcorn of Connecticut, who is resigning as Republican National Chairman next week, is expected to maintain an active interest in state Republican politics when he returns here.

Mr. Alcorn is the National Committeeman from this state, a post he has held since 1953. He has told friends that he has no intention of giving up this post.

Although Mr. Alcorn told a news conference in Washington that he had no intention of seeking public office in Connecticut, there are many on both sides of the political fence here who believe he may become interested in the nomination for Governor in 1962.

Those who have followed Mr. Alcorn's career in Connecticut politics over the last twenty years believe that he has always wanted to be Governor. His

Alcorn Quitting As Chairman Of G. O. P.

Decision Attributed To Wish to Return To Law Practice

By GOULD LINCOLN
Star Staff Writer

Meade Alcorn is resigning as Republican national chairman. He expected to make the announcement today at a press conference at Republican National Headquarters here.

Mr. Alcorn's retirement from the post he has held since January, 1957, is due to no political reason but entirely to his desire to return to his law practice, friends said.

Mr. Alcorn, now 51, has served as G. O. P. chairman without salary. He heads a law firm in Hartford, Conn., started by his grandfather in 1880 and later headed by his father, then a brother, now a judge. Friends estimated Mr. Alcorn may have lost $100,000 during his service here.

Will Meet April 10

The Republican National Committee is to meet here April 10-11. At that time it will receive a report from its special committee to recommend a site for the Republican National Convention of 1960. Presumably Mr. Alcorn will submit his resignation at that time and the committee in all probability will elect a successor.

President Eisenhower undoubtedly will be consulted by party leaders before the choice is made and he will have the final say on the new chairman.

Several possible successors were mentioned in speculation today. Among them are Ray Bliss, Republican national committeeman from Ohio; Richard Cooper, committeeman from New Hampshire, Fred Scribner, former committeeman from Maine, now Undersecretary of the Treasury, and Leonard W. Hall of New York, who was Republican national chairman before Mr. Alcorn took office.

The New York Times quoted highly placed political sources as saying Senator Thruston Newton of Kentucky may get the post.

Chairman Alcorn has gone along with President Eisenhower's efforts to give the Republican Party a more liberal appearance and has worked hard at holding the factions in the Republican Party together. At a recent meeting of the Republican National Committee in Des Moines, Iowa, he was acclaimed for his accomplishments as chairman.

Party Rebuilding

He launched an extensive party rebuilding program in January in the wake of the heavy Republican losses in last fall's congressional elections.

The Hartford Courant reported that Mr. Alcorn might try for the Connecticut governorship in 1962.

After graduating from Yale Law School in 1933, Mr. Alcorn joined his father's law firm and went immediately into politics. His father, who died in 1956, was then State's attorney for Hartford County.

MEADE ALCORN

Alcorn Quits Republican Leadership

Senator Morton Is Listed Among Top Possibilities

By Robert C. Albright
Staff Reporter

Meade Alcorn announced yesterday his resignation as Republican National Committee Chairman, effective when the National Committee meets here next week to pick a 1960 national convention site.

He told President Eisenhower and later a full dress press conference he is not leaving for political reasons but is resigning reluctantly because he feels obligated to return to his Connecticut law practice, after nearly three years' absence.

Alcorn voiced hope his successor will be elected at the National Committee meeting here April 10-11, and predicted that, whoever he is, he will see a Republican once more installed in the White House in '60. He said he already has discussed a number of possibilities for his post with the President, and will appoint a special committee to wait on Mr. Eisenhower and determine his wishes.

Although seven or eight names immediately figured in the speculation on Alcorn's successor, the most likely appeared to be 51-year-old Sen. Thruston B. Morton (R-Ky.), former Assistant Secretary of State in charge of congressional liaison. One high-ranking Republican termed Morton "just about perfect" from the standpoint of bridging the gap between opposing party factions.

In Louisville, Morton said he supposed he'd be available "if I felt that the various segments of the Party wanted me," but that he certainly was not seeking the job.

Morton told Associated Press that Mr. Eisenhower had never "formally" sounded him out, but recalled:

"On one occasion the President was thinking out loud about a successor to Alcorn if he should resign. The President said, 'Morton, you might be the guy.' But mine was only one of a hatful of names he mentioned. I sort of laughed it off and forgot it."

Alcorn ticked off a long list of possibilities, including Morton. Alcorn mentioned Ohio's Republican State Chairman Ray C. Bliss, Under Secretary of the Treasury Fred C. Scribner, Secretary of Interior Fred Seaton, Postmaster General Arthur E. Summerfield, Charles H. Percy, the 39-year-old Chicago businessman now heading a GOP long range program committee, Sen. Hugh Scott (R-Pa.) and Rep. Gerald Ford (R-Mich.).

In answer to questions, Alcorn said Bliss has told him he will not be "available." Alcorn said also he assumes Mr. Eisenhower will not depart from his policy of separating the GOP chairman from his Cabinet. Alcorn added that he saw no reason, however, why a National Chairman could not continue to be a member of the House or Senate. The Republican Party has had several chairmen in modern times who were at the same time members of the House.

At the Capitol, at least one other Senate Republican indicated his availability. Sen. Homer Capehart (Ind.) told reporters: "I am certainly not a candidate for the post, but it is a job for a good salesman and a good organizer." Capehart was a salesman and industrialist before being elected to the Senate.

In stepping out of the post he has held for 26 months, Alcorn denied reports that he intended to become a candidate for Governor of Connecticut in 1962.

The GOP National Chairman's post pays no salary, but Alcorn told friends the financial sacrifice alone wasn't the reason for his quitting. The way he put it in his letter to the President was: "This (his long absence from his law firm) has resulted in a situation which has been a growing burden to my law partners."

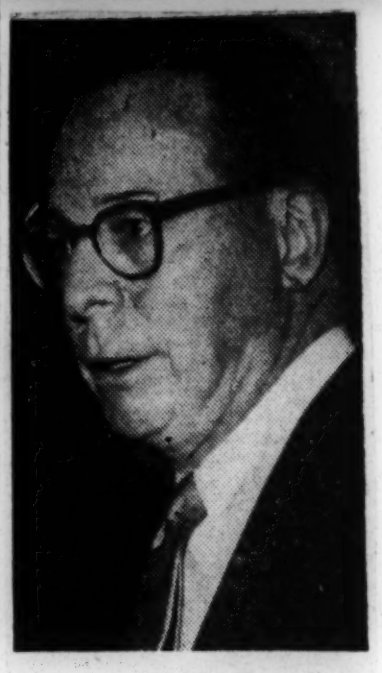
His letter to Mr. Eisenhower noted that for eight months prior to becoming National Chairman he worked exclusively on plans for the 1956 Republican National Convention.

Saying that GOP program plans now in the works "hold strong promise for our Party's resurgence," Alcorn wrote Mr. Eisenhower:

"Your unceasing dedication to the cause of peace, your unshakeable faith in the soundness and goodness of our people and our free institutions have survived every adversity our Party has suffered."

Alcorn told newsmen the seven-man committee he will name to recommend a new chairman may call on the President in Augusta, Ga., if he goes there on vacation before the National Committee meets on a successor.

The choice of a 1960 convention site, the original reason for the National Committee meeting here, is believed narrowing gradually to either Chicago or Philadelphia. Since the 1960 GOP nomination now appears to lie between Vice President Richard M. Nixon and Gov. Nelson Rockefeller of New York, highly placed Republicans think it unlikely the convention will be held in the backyard of either.



Associated Press Photo

MEADE ALCORN
. . . resigning

Associated Press Photo

THRUSTON B. MORTON
. . . possible successor

Nixon to Visit Soviet in July, Open Exhibit

May Help Set Stage For Summit Parley, Aid '60 Chances

By JOHN M. HIGHTOWER
Associated Press Staff Writer

Vice President Nixon will visit Moscow in late July. His expected talks with high Soviet officials may help to set the stage for a summit conference.

His designation by President Eisenhower to make the trip also could promote Mr. Nixon's chances for the Republican presidential nomination next year.

A White House announcement at Augusta, Ga., late yesterday said Mr. Nixon will make the trip to open an American exhibition in Moscow on July 25. No other details were given, but diplomatic officials were sure he would meet with Premier Khrushchev.

The exhibition, which will continue for six weeks in Moscow's Sokolniki Park, is designed to show Russian citizens how Americans live. The Government and United States business interests are co-operating. Russia will stage a similar exhibition in New York.

Understanding Sought

Mr. Eisenhower said in a statement that the purpose of the exhibition is to develop broader understanding between the American and Soviet peoples—"the kind of mutual understanding upon which our peaceful future depends."

"It is a hopeful approach," the President said, "we welcome it wholeheartedly."

Mr. Nixon's trip holds both international and domestic political interest.

If Mr. Nixon demonstrates a capacity to deal effectively with Soviet leaders it could give him a boost in his unannounced quest for the presidency in 1960. At a minimum it will focus attention on him in the months leading up to selection of the Republican nominee.

Internationally, the trip means a new round of high-level contacts, following up the January visit here of Soviet Deputy Premier Mikoyan.

Favorable Impression Seen

Although Mr. Mikoyan's visit was technically unofficial, he conferred with Mr. Eisenhower, Mr. Nixon, Secretary of State Dulles and other officials as well as many private businessmen. American officials credited Mr. Mikoyan with making a generally favorable impression on a great many people in this country.

Presumably one of Mr. Nixon's purposes, apart from giving the exhibit a big buildup, will be to demonstrate to the Soviet peoples a friendly American interest in them. He is expected to emphasize a United States desire for better relations with Russia.

Mr. Nixon now plans to remain in Moscow three or four days. He seems assured of red carpet treatment. His time in the country might be extended, it appeared, if the Soviet government were to come forward with suggestions for meeting with a number of officials and for trips to places outside Moscow.

May Visit Other Cities

Presumably also he may visit other capitals either going to or coming from the Soviet capital. Officials of Communist Poland are known to have been interested in having him go to Warsaw. There was speculation also that on his way to Moscow he might stop off in West Berlin.

His trip is timed to fall between the scheduled Big Four foreign ministers meeting at Geneva and a probable summit conference in late summer, perhaps in August.

Most Western authorities now feel that the Geneva meeting probably will not make much progress on specific issues.

The timing of Mr. Nixon's trip, though not necessarily deliberate in this respect, would allow him to discuss the pending questions in advance of the summit gathering.

Went Abroad in 1953

Mr. Nixon began visiting foreign countries back in 1953 when he went to the Far East and Africa. He has made several trips to Latin American nations; he made a world circling tour which took him to India and other Asian lands in 1956 and he made an extended tour of Africa in 1957.

Mr. Nixon will be the first high ranking official to visit the Soviet Union in many years. President Franklin D. Roosevelt went to Yalta to confer with Premier Stalin in early 1945. Secretary of State Cordell Hull went to Moscow in 1943 and Henry A. Wallace, as Vice President, visited Russia en route to the Far East in September, 1944.

Secretary of State George C. Marshall was there for a foreign ministers meeting on German and Austrian problems in 1947.

Goldwater Says Nixon Would Be Good for South

Phoenix, May 17 (AP).—Sen. Barry Goldwater, R., Ariz., predicted today the South would fare better under a Republican administration headed by Vice-President Nixon than under a Democratic President influenced by National Chairman Paul M. Butler.

"The general feeling among Republicans is to let the states handle segregation," the outspoken Sen. Goldwater said. "If there was violence, of course, that would be another matter."

Sen. Goldwater said Mr. Butler and other Northern Democrats have told the South to get out if it doesn't agree with national party policies, while the Republicans believe in state rights and individual freedom.

"Nixon is a conservative," he told a Republican breakfast in this stronghold of Democrats and states rights. "I like Nixon and think he was more to offer."

He advised his hearers not to blame the Republicans for the Supreme Court's integration decision.

"A great majority of the Senate Republicans are not happy with the present court," he said. "My personal opinion is that this this is not a good court."

Southerners Try To Curb Bias Fighters

May Seek To Ban Funds for Group Headed by Nixon

By JACK BELL
Associated Press Staff Writer

Washington, Feb. 21.—An attack aimed at scuttling an anti-discrimination committee headed by Vice-President Nixon appears to be shaping up in Congress.

The group is called the Committee on Government Contracts. It tries to prevent racial discrimination in the hiring policies of government contractors. It works mostly through persuasion.

President Eisenhower set up the committee several years ago by executive order. As part of his civil-rights program, he asked Congress to give it legal status.

Blocked F.E.P.C.

The Senate Republican leader, Everett Dirksen of Illinois, said such opposition has developed that he now doubts the Senate Judiciary Sommittee will approve Eisenhower's request.

In an interview Dirksen said he has been told Southern opponents may also seek to deny operating funds to the Nixon committee. A similar device was used to kill the Fair Employment Practices Committee set up by President Franklin D. Roosevelt by executive order.

"I think it is a fair assumption that legislative authorization for the contracts committee will not be in the civil-rights bill when it is reported out of the judiciary committee," Dirksen said.

Hearings Will Start March 18

The Judiciary Committee will open hearings on civil-rights bills, including the Administration's proposals, on March 18.

The Nixon committee has been operating with about $200,000 annually. Funds have been supplied to it by various regular departments of the Government, such as Defense, Labor, and Interior.

In its operations, the committee has had to depend almost wholly on persuasion. The committee tries to influence departments that negotiate contracts to include in them nondiscrimination clauses.

But the committee has run into some situations where the law specifies the contract must go to the lowest responsible bidder, and the contractor has been unwilling to accept the nondiscriminatory clauses.

Court Action Is Threatened

Dirksen said it is his understanding that court action has been threatened against the Nixon committee's actions in some instances.

Too meet such contingencies, Eisenhower asked Congress to authorize the contracts group to investigate and to make recommendations to enforce nondiscriminatory clauses. It would also continue its voluntary program.

Involved in the controversy is Congress' opposition to having any presidential commission operate with funds not directly voted to it.

If Congress does not act, presumably the contracts group could continue to draw money from the regular departments to continue its limited activities.

Nixon Urges Churchmen To Fight Bias

'A Moral Problem,' He Tells Conference

By Earl Mazo

WASHINGTON, May 11.—Vice-President Nixon called upon the nation's churchmen today to exercise their "tremendous power for good" in figthing racial and religious discrimination of every kind.

He told a conference of 500 religious leaders from across the country that Americans must be persuaded that "the whole field of discrimination and prejudice . . . is basically a moral problem."

"We must educate people to obey the law (on civil rights) not only because it is the law but because the law is right," Mr. Nixon said. "Only if people see that laws against discrimination have moral as well as legal backing can we get the kind of support we need in this field."

Strike Leader Speaks

In another address, the Rev. Martin Luther King jr., leader of the successful strike by Negroes against segregation in Montgomery, Ala., buses, declared that "in the economic area of race relations, the churches have hardly begun to speak."

Mr. King said he felt "millions of whites want to end the dying order of discrimination, but they need spiritual leadership and guidance and the church must provide it as a moral duty."

Today's conference was the first under government asupices in which churchmen were asked to enter the fight for civil rights in employment. It was called by the President's Committee on Government Contracts, the agency which monitors regulations against discrimination in employment by firms doing business with the government.

Mr. Nixon, the chairman, invited representatives of twenty-two denominations from all sections of the country. While job discrimination was the principal theme, the whole range of civil rights problems was touched upon during the day-long session.

Roosevelt Urges Training

John Roosevelt, a committee member and son of former President Franklin D. Roosevelt, urged that religious figures not only preach tolerance but also counsel Negroes and members of other minorities to train themselves for skilled employment.

A Philip Randolph, president of the International Brotherhood of Sleeping Car Porters, directed much of his appeal to many of the nation's unions, which he said must also be convinced to end discriminatory practices and policies.

Nixon Urges Church Aid In Fight to End Job Bias

Inquirer Tues. 5-12-59 p. 3

Philadelphia

WASHINGTON, May 11 (UPI). —Vice President Richard M. Nixon appealed to church and synagogue leaders today to impress upon the Nation's conscience that racial discrimination in employment is morally wrong.

He spoke before a conference of more than 400 religious leaders, representing 22 of the Nation's largest denominations with an aggregate membership of about 100,000,000 persons.

The all-day meeting was arranged by Nixon as chairman of the President's Committee on Government Contracts.

SEEK END TO PREJUDICE

Nixon said his committee was responsible for seeing that there is no racial discrimination in employment by firms handling Government contracts. But its larger purpose, he said, is to conduct a program of "education and conciliation" to eliminate prejudice from all areas of employment.

"We need your help," he told the religious leaders. "You represent a tremendous amount of power for good. I urge you to go back to your communities and mobilize the moral support of the American people for nondiscriminatory policies in employment, and for the whole program of civil rights for all Americans, regardless of race, color or national origin."

Passing laws against discrimination is not enough, Nixon said, because "a law is only as good as the will of the people to obey it."

'A MORAL PROBLEM'

"There is a vital need for recognition in America that this whole field of discrimination and prejudice is basically a moral problem," he said. "We need to educate people to obey the law in this field, not only because it is the law, but because the law is right."

Other speakers included John Roosevelt, New York investment banker and son of the late President Franklin D. Roosevelt; Dr. Martin Luther King, of Montgomery, Ala., Negro minister who led the 1957 Montgomery bus boycott; A. Phillip Randolph, Negro union leader; former Gov. Alfred E. Driscoll, of New Jersey; The Very Rev. Msgr. Paul F. Tanner, general secretary of the National Catholic Welfare Conference; Francis Harmon, vice president of the National Council of Churches, and Rabbi Julius Mark, vice president of the Synagogue Council of America.

The spokesmen for religious organizaitons indorsed Nixon's statement that racial prejudice is basically a moral problem. All of them emphasized in their talks that racial discrimination in any area of life is contrary to Judeo-Christian religious teachings.

Robeson Prefers 'Othello'

MOSCOW — Paul Robeson, scheduled to give 20 television concerts in England, said that he hopes to appear on Broadway, and that his present central interest is in performing "Othello."

The brilliant baritone has enjoyed phenomenal success in England and other countries recently, the results of which have brought him bids from several United States managers.

"I am always ready to come to America at the call of the Negro people," Robeson said, "say, if I were invited by the Baptist churches or by the NAACP."

He emphasized that he remains a 'political artist" fighting for peace. He expressed delight that his present concert series in the Soviet Union will be followed by a trip to India.

Robeson said he would be unable to appear in additional cities in the Soviet Union because of his heavy schedule in England, where he will appear as "Othello" in a production by the Stratford-on-Avon Shakespeare company.

Robeson Illness Reported Grave

STRATFORD-ON-AVON, England (AP)—American Negro singer Paul Robeson is seriously ill in Moscow, a spokesman for the Shakespeare Memorial Theater said Friday.

The spokesman said Robeson would be unable to play the title role in the theater's production of Othello April 7.

The 60-year-old singer entered a Moscow hospital Jan. 12—the day he was due to leave the Soviet capital for India. Friends said then nothing was seriously wrong, that he had been suffering from a cold and was overtired.

Allen Byam Shaw, director of the theater, said he received news of the singer's illness from Mrs. Robeson. He said she wrote: "Paul is heart-broken. This was to have been the peak of his career."

Shaw said Mrs. Robeson did not disclose her husband's ailment.

Artist Ill in Moscow

Paul Robeson Wins His Tax Battle With U. S.

By ALICE A. DUNNIGAN

WASHINGTON (ANP) — Although Paul Robeson lay ill in a Moscow hospital, he succeeded in winning a five-year tax battle in the District of Columbia.

The Internal Revenue Service has announced that it is abandoning its claim that Robeson owed the Federal Government $9,655 income tax on the $25,000 Stalin Peace Prize which he received in 1953.

The Revenue Service, in effect, took the position that the Stalin prize, the highest Soviet award of its kind, is in the same tax-exempt category as the Nobel and Pulitzer prizes.

THE FAMED artist recently became ill in Moscow while making a concert tour of Europe. He went to Russia after winning another lengthy fight to obtain his passport.

•The Internal Revenue said it was conceding defeat because a careful study of previous court decisions, tax rulings and other precedents had resulted in the conclusion that the Govertpent's claims could not be sustained.

The case which was scheduled for hearing Monday was dropped upon order of IRS.

Robeson had claimed that the Stalin prize was a gift rather than compensation for service rendered. He told the tax court that he had at no time engaged in any activities or performed any service in expectation of the award.

Paul Robeson Wins

WASHINGTON — (AP— Singer Paul Robeson Wednesday won a five-year battle to escape taxation on the $25,000 Stalin Peace Prize he received in 1953.

The Internal Revenue Service announced it is abandoning its claim that the Negro entertainer owed federal income taxes of $9,655 on the award.

In effect, the Revenue Service took the position that the Stalin Prize—the highest Soviet award of its kind—is in the same tax-exempt category as the Nobel and Pulitzer prizes.

Robeson, 60, is now seriously ill in a Moscow hospital. He went to Russia after winning another lengthy fight to obtain a passport.

Goverment Drops Income Tax Suit Against Robeson

WASHINGTON, D. C. — (NNPA) — The Internal Revenue Service last Wednesday conceded that the $25,000 Paul Robeson, internationally recognized singer and actor, received from the Soviet Government in 1953 when he received the International Stalin Peace Prize, is a non-taxable gift.

The Service filed a motion Wednesday morning in which the Commissioner of Internal Revenue confessed error in determining that Robeson and his wife, Mrs. Essalanda Goode Robeson, owed a Federal income tax deficiency for 1953.

The motion disposed of the case. An order was entered in the United States Tax Court that there was no deficiency owed by Mr. and Mrs. Robeson on their income tax for 1953.

Mr. and Mrs. Robeson had petitioned the Tax Court to set aside the deficiency of $9,655 claimed by the Commissioner. The case had been set for hearing in New York City Feb. 9.

The Internal Revenue Service said a careful study of previous court decisions, tax rulings, and other precedents had resulted in the conclusion that the Government's claim could not be sustained.

Robeson in his petition said the prize was established by the Soviet government in 1950 to be awarded to "citizens of any country of the world, irrespective of political, religious or race distinctions, for outstanding services in the struggle against warmongers and for the strengthening of peace."

A committee was established to award the prize from year to year. The award was made to him, Robeson said, because of his general activities and achievements in the cause of peace.

Robeson asserted that at no time had he engaged in any activities, nor did he perform or agree to perform any service in the expectation that he would receive any compensation or award, nor did he participate directly or indirectly in any contest for the award, nor did he submit any entry or other contribution in connection with the award.

Robeson added that he was selected without any action on his part to enter any contest. He said he did nothing at any time that he would not have done had no such award been in existence.

By this action, the Internal Revenue Service conceded that the award was a gratuity and not taxable income.

U.S. Tax Fight

U.S. admits tax claim against Robeson error

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MR. AND MRS. Robeson had petitioned the Tax Court to set aside the deficiency of $9,655 claimed by the Commissioner. The case had been set for hearing in NYC Feb. 9.

The Internal Revenue Service said a careful study of previous court decisions, tax rulings, and other precedents had resulted in the conclusion that the Government's claim could not be sustained.

Mr. Robeson in his petition said the prize was established by the Soviet Government in 1950 to be awarded to "citizens of any country of the world, irrespective of political, religious or race distinctions, for outstanding services in the struggle against warmongers and for the strengthening of peace."

A COMMITTEE was established to award the prize from year to year. The award was made to him, Mr. Robeson said, because of his general activities and achievements in the cause of peace.

Mr. Robeson asserted that at no time had he engaged in any activities, nor did he perform or agree to perform any services in the expectation that he would receive any compensation or award, nor did he participate directly or indirectly in any contest for the award, nor did he submit any entry or other contribution in connection with the award.

WHILE Paul Robeson is recuperating in Moscow he'll be technical consultant to the Soviet film supposedly based on his life. . . Peter Ford was dissuaded from challenging Kenneth Tynan to a duel. Miss Ford, co-star of Faulkner's *Requiem For A Nun*, and Tynan, *The New Yorker's* critic, met at a party where she was most insistent about the duel . . . MGM is bidding for the movie rights to *The Gershwin Years*. Arthur Freed would produce it.

'Just a bad cold,' -- Robeson

Clipping from P. | Baltimore

PHILADELPHIA — "I just suffered from a severe cold and bronchitis," Paul Robeson told his sister, Mrs. Marian Forsythe, by transatlantic phone here Thursday. His call spiked rumors of a heart attack and even of cancer. Date 2-14-59

Mrs. Forsythe told the AFRO she was prompted to call her brother because of these conflicting reports. Robeson, she said, plans to spend awhile in a rest home before returning to work in England.

Paul Robeson Rips U.S.; Reds Gag Our Defenders

Daily Tribune Chicago Ill.
Tues. 8-4-59

VIENNA, Aug. 3 (AP)—Paul Robeson, American Negro singer, spoke Monday at the communist sponsored World Youth festival here. He criticized American foreign policy and what he called the restriction of Negro rights in the United States.

Britons and Americans who tried to get up and challenge Robeson on his views were shouted down by the Communists or ruled out of order, they said, by the communist chairman.

"Kind of Fascism"

Robeson, here as a guest of the festival, told a meeting of Asians and Africans that the United States should first see to "giving full freedom to 18 millions of us in the United States" before it claimed to be a champion of freedom abroad. He then charged that "the foreign policy of the United States is predicated on a kind of fascism."

"It was only in 1934, when I went to the Soviet Union and stood on soviet soil, that I for the first time felt a full human being," Robeson said.

His Career Recalled

American youths, denied a chance to answer him, said they wanted him to tell his audience about his career in the United States as a famous college athlete, singer, and actor before he "became enchanted by the Soviet Union."

Robeson told his audience that it was "significant that United States Vice President Nixon went to the Soviet Union and Warsaw to talk about peace, because those countries really are peace loving and he can learn something there."

Mr. Robeson's Plans

After being shut up in the United States for seven years, Paul Robeson has announced that he now plans to spend six months of the year in Communist countries and the other six months in the West.

Mr. Robeson's announcement was released by a Hungarian news agency and may have to be taken with a grain of salt.

But it would appear that his itinerary includes most of the countries which have invited him to give concerts with the knowledge that when he gets back to the United States, the State Department might cancel his passport again.

However, it could be that these fears are groundless since Dr. W. E. B. DuBois made prolonged visits to Hungary and China and nothing has happened.

So did two newsmen for Look Magazine.

It seems that the State Department vented all of the spleen on the AFRO's Bill Worthy for his 1956 excursion into Red China and has none left for these latter day pilgrims.

Robeson to Ignore Visa Restrictions

Inquirer Philadelphia, Pa.
Jacksonville Fla.

BUDAPEST, Hungary, Aug. 22 (Reuters) — Singer Paul Robeson said in an interview published here today that he would ignore U.S. passport restrictions and visit Communist China and Hungary to give concerts.

Robeson, who passed through Budapest earlier this week on his way to the neighboring Communist Republic of Romania, told the Hungarian Communist paper Nepszabadsag: "For 10 years I have been a prisoner in my own country. I was not allowed to go abroad and I was prevented from meeting the European soldiers of the world peace movement."

Although his passport was marked "not valid" for both Hungary and China, Robeson said he would visit China by March and pay two visits to Hungary, one for a few days this fall. Next year he plans to return to Hungary for a concert tour lasting several weeks.

The World Over

Robeson Tells Red Rally U.S. Curbs Negro Rights

Inquirer Philadelphia, Pa.
Mon. 8-3-59

Edited by NED ROCHON.

(From United Press International and Associated Press)

Monday, Aug. 3, 1959

Paul Robeson criticized U.S. foreign policy at the Communist World Youth Festival in Vienna. The American Negro singer also said there was "restriction of Negro rights in the United States." When British and American youths tried to challenge his points they were shouted down by pro-Red delegates or ruled out of order by the festival chairman. Robeson arrived as the star of the festival. He told a large meeting of African and Asian youths that the United States must first see to "giving full freedom to 18 millions of us in the United States before it claimed to be a champion of freedom abroad." He said U.S. foreign policy "is predicated on a kind of fascism," and added: "It was only in 1934, when I went to the Soviet Union and stood on Soviet soil that I for the first time felt a full human being." Robeson told the seminar that it was significant that Vice President Richard Nixon went to the Soviet Union and to Warsaw to talk about peace. "Those countries really are peace-loving," and he can learn something there," Robeson said.

Paul Robeson

Dixie Bloc Of Electors Is Proposed

Segregationists Urge Selection Of Independents

MONTGOMERY, Feb. 1 (AP)—Segregation leaders from 11 Southeastern states proposed today that Southern presidential electors support an independent ticket next year if necessary to protect states rights.

Speakers shunned third party talk, but they were urged to stick together in the electoral college. Such a block vote, several speakers suggested, might give the South the balance of power in electing the next President.

Citizens Council leaders from throughout the South attended the conference, along with the representatives of the Council of States Rights and the Committees of the 48 States.

Robert Patterson, executive secretary of the Mississippi Citizens Councils, presided at the meeting, attended by more than 100 delegates. State Sen. Walter O. Givhan of Dallas County assisted.

Patterson stressed that no official action would be taken by the group. He said the meeting was arranged merely for everyone to get acquainted.

Although no vote was taken, the delegates appeared inclined to go along with the proposed election of independent electors.

A campaign in this direction is expected to be launched on a Southwide basis soon.

The election of independent and uninstructed electors in the 11 states represented at the meeting would constitute 117 electoral votes—a potent bargaining tool for use at the party convention or in the electoral college.

In the event no candidate can receive a majority of the electoral votes—268 of the 534 members—the election of a President would be settled in the U. S. House of Representatives, with each state entitled to one vote.

117 Electoral Votes

Union Springs Herald

IN MONTGOMERY last week segregation leaders from 11 southeastern states proposed that southern presidential electors support an independent ticket next year to protect states rights.

Those 11 states represented 117 electoral votes, a powerful bargaining tool for use at the party convention or in the electoral college. The only way the South will ever win the respect of either of the major political parties is to send unpledged delegates to the conventions. In Reconstruction days, when federal troops occupied the South, the southern states withheld their support and threw the election into the House of Representatives, where each state has only one vote. History records that the South threw its support to Republican Hayes, and that one of his first official acts after becoming president was to withdraw federal troops from the South.

If the South's back is pushed against the wall, who would say that history will not repeat itself? We wonder if this happened whether or not the Supreme Court would rule such an election unconstitutional because it was an act to circumvent the court's school integration decision?

Pledge limits allegiance

States' righters go further than in the 1948 election

BY REX THOMAS

MONTGOMERY, Ala., March 21 (AP)—States' righters have gone further than they did in the fateful election year of 1948 in releasing Alabama Democrats from any obligation to the national party.

For the first time since a loyalty oath was initiated 29 years ago, it spells out clearly that allegiance to the Democratic Party stops at the state line.

THE PLEDGE written into the party rules in Birmingham Friday ties it down on two sides.

It makes Eisenhower Democrats—those who voted for Republican presidential electors in 1956—eligible to run for office in the Democratic primaries again.

And it says in unequivocal language that Democrats can **run for presidential elector without promising in advance to support the national party ticket.**

The outvoted loyalist faction will have another chance to put the national party pledge back into force in the 1960 election year because the State Democratic Executive Committee must adopt rules for the primaries that year.

AND SINCE that is the oath that really counts, the loyalists theoretically still have a chance to get their old pledge back.

But they would have to regain control of the state committee, now firmly held by the states' rights faction, and that would mean shaking some of the states' righters loose from their present stand.

And since the states' rights version of the loyalty oath is now the official policy of the party in Alabama, it couldn't be materially changed without repudiating the promise of the states' righters made when they were elected.

Thirty-nine of the 72 committee members pledged themselves as candidates to break the ties of allegiance to the national party.

FROM THE time it was written into the party rules in 1930, the loyalty oath always bound Democratic candidates to support the party in the general election. And until 1948, it was assumed to mean loyalty to the national party.

But in that year of the states' rights rebellion, Alabama's presidential electors, who ran as Democrats, refused to cast their votes for the Democratic nominee, Harry Truman, and supported the Thurmond-Wright ticket instead.

They interpreted partly allegiance to mean only loyalty to Democratic nominees for state and local office. The courts upheld their right, as free agents, to vote for anyone they choose.

Loyalists won control of the state committee in 1950 and spelled out the loyalty oath in their favor. They said it meant allegiance to all Democratic candidates, specifically including the party's presidential ticket.

ELECTORS STILL had the right to vote for someone else in the Electoral College, but they had to promise they wouldn't do it before they could run in the Democratic primaries.

Thus, the definition of party loyalty was clearly set forth for the first time.

With the states' righters in control again, the definition has been changed. But it's still clear. It means Democratic candidates have to pledge their loyalty only to the party nominees for local and state offices.

For States' Righter Frank Mizell of Montgomery, repeal of the national party pledge softened the sting of his defeat for the party chairmanship. Mizell, whose resolution was adopted Friday, was a member of the committee in 1948 who survived the pro-loyalist purge.

IT WAS LARGELY with the help of the present loyalist committeemen that Gov. John Patterson got his candidate, Sam Engelhardt, a states' righter, elected chairman two months ago.

And it was with Patterson's support that Loyalist George Lewis Bailes Jr., was elected vice chairman and Hodby Rains was reelected secretary Friday.

Whether Patterson could swing a majority of the committee back to the national party loyalty oath in 1960 is problematical. But he has sided with the states' righters on that issue from the outset, so there's no reason to assume he will try to change it.

Women Urged To Fight For States Rights

DECATUR, Ala. (AP)— Never before in history has the future of a great nation depended more on its women, a representative of the National Assn. of Manufacturers said here Thursday night.

Mrs. Louise Bushnell told secretarial employes of the Chemstrand Corp., in a meeting here that "every woman shares as full partner with every man the responsibility of carrying on our free society."

Mrs. Bushnell said "The balance between federal power and the rightful powers and responsibilities of the states has slipped dangerously. Our freedoms are threatened by the dominance of an all-powerful central government."

Mrs. Bushnell, of New York City, is NAM's director of women's organizations.

She said "Women can help disprove the false idea that we Americans need a big grasping big spending, paternalistic federal government to manage every phase of our lives.

"We can lend strong encouragement and support to all elected officials now in office—or those we will elect later—who believe in bringing government back home."

GOP To Support States Rights Bill

Post-Herald Wed. 6-10-59
Birmingham Ala.

WASHINGTON, June 10 (UPI) — Republicans agreed today in a surprise move to help Southern Democrats push through the House a states' rights bill strongly opposed by the Justice Dept.

The bill, sponsored by Rep. Howard W. Smith (D., Va.), is designed to prevent Federal legislation from overturning state laws on the same subject. It would apply to all existing and future legislation.

The House Republican Policy Committee endorsed the measure and urged all members to vote for it when it comes up on the House floor for action later this week.

The House Judiciary Committee approved the measure by a 17-15 vote last week despite complaints from Atty. Gen. William P. Rogers that it would lead to endless confusion and litigation.

The bill also is viewed as a slap at the Supreme Court which only yesterday clarified one of the decisions which prompted the drive for the legislation. The court's action was not expected to help critics in their fight against the bill, however.

The stand taken by the GOP policy committee was viewed in some quarters as a move by GOP leaders to solidify the bipartisan coalition of Southern Democrats and Republicans in the House.

The legislation passed the House last year but died in the Senate where the opposition also is considered stronger again this session.

Byrd Urges Solid Fight On States' Rights

Wed. 10-14-59

MONTGOMERY, Ala. (AP)—Georgia's Gov. Garland Byrd, Tuesday urged Southerners to gather at the cradle of the Confederacy—just as a century ago—and take action to preserve states rights.

Addressing a joint session of the Alabama Legislature, recalled:

"A hundred years ago we were willing to shed our blood, even to lose our lives to defend the principles of government which we believed to be honest and just."

ASKS ACTION

Speaking in the historic Alabama capitol's house chamber where nearly 100 years ago the articles of secession were adopted and the Confederate States of America born, Byrd declared:

"I believe that once again the time has come for the Southern states to meet together—to take action together. Once again we should gather in Montgomery and discuss joint actions to meet a massive assault upon our rights and liberties."

Byrd made it clear that he wasn't suggesting a second Civil War.

"But," he said, "as we approach the eve of the anniversary of that great struggle in which our forefathers were willing to fight and to die, I think we should consider just what we can do to protect the heritage which is ours."

ACCUSES U.S.

Accusing the federal government of usurping its powers, he pledged that Georgia will stand with Alabama as sister states to preserve their rights and racial customs.

To combat what he called a many-sided attack, the Georgian called for a compact of states which wish to preserve their traditions.

Byrd explained to the lawmakers how the newly created Georgia commission on constitutional government is studying possible ways to protect states rights of sovereignty and self-government.

Georgia States Rights Leader Urges 'White South' To Organize

YAZOO CITY, Miss. (AP)—Roy Harris, Augusta attorney and president of the Georgia's States Rights Council, Monday night called on the white people of the South to organize "to take our case to every white man, woman and child in this great country of ours."

In a speech prepared for delivery before the annual meeting of the Citizens Council here, Harris said:

"The time is ripe when the white people should organize and raise whatever amount of money is necessary.

"Now is the time to organize," Harris continued, "and sell the people of the nation that in the South we have proved that the only way two such dissimilar races can live together in the same community in a state of peace, harmony and mutual helpfulness is under our traditional pattern of segregation."

Harris told the councils that "we are winning because we lost this fight with the (U.S.) Supreme Court decision on May 17, 1953, insofar as the courts are concerned.

"Now nearly five and a half years later we find there is no integration in the public schools of South Carolina, Georgia, Alabama, Mississippi or Louisiana," he added.

Pointing out "The South is gaining a lot of sentiment in our favor and a lot of sympathy for our cause over the nation," he said. The best authority for this is the words of Thurgood Marshall, Negro attorney for the NAACP.

"Speaking on July 6 to an audience at Fisk University, Nashville, Tenn., Marshall said that Negroes are winning their battles in the courts but are losing the battle for public opinion," Harris said.

GEORGIA LT. Gov. Garland T. Byrd addresses the Alabama Legislature's joint session.

BY GEORGIA OFFICIAL

Southern 'Rights' Convention Urged

A Georgia official today urged Southerners to meet in the Cradle of the Confederacy—just as a century ago—to map action to preserve states rights.

Georgia's Lt. Gov. Garland T. Byrd, addressing a joint session of the Alabama Legislature, recalled how:

"A hundred years ago we were willing to shed our blood, even to lose our lives to defend the principles of government which we believed to be honest and just."

SPEAKS IN HOUSE

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PROTECT HERITAGE

"But," he said, "as we approach the eve of the anniversary of that great struggle in which our forefathers were willing to fight and to die, I think we should consider just what we can do to protect the heritage which is ours."

Accusing the federal government of usurping its powers, he pledged that Georgia will stand with Alabama as sister states to preserve their rights and racial customs.

"It is much more than a political kinship," said Byrd. "Our states are bound together geographically as the keystone of the agricultural South, the industrial South, the commercial South, the educational South and the cultural South."

DESCRIBES COMMISSION

Byrd explained to the lawmakers how the newly created Georgia Commission on Constitutional Government is studying possible ways to protect states rights of sovereignty and self-government.

"I propose that Alabama—and other states of the South and the nation which want to maintain their way of life — create such commissions to seek to legally and lawfully preserve the law as we know it and as we believe the Constitution sets it forth."

The commissions then could meet jointly, he said, "to determine what course the states can follow individually or working together to maintain constitutional government for this nation."

Registration Woes

Tuskegee Board Fails To Show

TUSKEGEE, Ala. (AP)—An undetermined number of Negroes, hopeful of being able to sign up as voters, appeared at the Macon County Courthouse Monday. But they went away disappointed because the newly appointed Registration Board had failed to show up.

Alabama law sets aside the first and third Mondays of each month for registrars to receive applications from prospective voters. But the new three-man board —the first in seven months—failed to put in an appearance.

Nor was there any assurance that voter registration machinery in the county where Negroes outnumber white residents nearly 6 to 1 would start to function again in the immediate future.

All three newly appointed board members said they are undecided as to whether they will accept the part-time jobs.

Chairman Howard Lynn of nearby Notasulga Rt. 1 said he had been busy gathering his cotton crop and had no time to confer with the others members, J. H. Sadler and John Sullivan of Tuskegee.

William P. Mitchell, secretary of the Tuskegee Civic Assn. which has long campaigned for Negro voter registration, said the efforts will continue. He said the TCA will ask state officials to appoint a new board if Lynn, Sadler, and Sullivan fail to act.

Mitchell, who also heads the TCA's Voter Franchise Committee, said Negroes will continue to push for a federal registration commission to function when the state board fails.

Voter registration for both Negro and white applicants came to a halt last December after the Civil Rights Commission had started investigating complaints complaints of discrimination against Negroes.

One member of the old board died, and the other two resigned. No one had been chosen to succeed them until Lynn, Sadler, and Sullivan were appointed last Thursday by a board composed of Gov. John Patterson, State Auditor Mary Texas Hurt Garner, and Agriculture Commissioner R. C. Bamberg.

The civil rights investigation was followed by a Justice Department suit asking for a federal court injunction against denial of voting rights to qualified Negroes.

Dist. Judge Frank M. Johnson Jr. in Montgomery dismissed the suit on the grounds that the resignation of the old board members left no one to sue. The Fifth U.S. Circuit Court of Appeals upheld him.

TCA launches campaign for Federal voter's law

TUSKEGEE INSTITUTE, Ala. — Tuskegee Civic Association launched a concerted effort to get Congress to pass an effective federal law regulating voter registration at its 101st mass meeting.

The new drive was prompted by the stalemate that has persisted in many southern counties regarding the registration of potential voters.

Macon County has been without a board of registrars since Dec. 10, 1958. Petitions sent out by the TCA, have been signed by hundreds of individuals all over the country and these petitions will be forwarded by the TCA to both houses of Congress.

* * *

CHARLES V. HAMILTON, assistant professor of political science, Tuskegee Institute and chairman of the TCA political education committee, was the speaker at the mass meeting.

He spoke on "A Federal Voter Registration Law: What Right, What Chance, What Choice."

The meeting was held at Washington Chapel AME Church.

* * *

AN INTENSIVE follow - up campaign has been planned to get the bill through the Congress. Organizations and individuals throughout the country have been, and will be, contacted to encourage their congressional representatives to support the measure.

This new campaign comes at the time of the observance of the Second Anniversary of the TCA Crusade for Citizenship. Nationally prominent Jackie Robinson will be the speaker on that occasion on June 23.

Registration Woes

Tuskegee Board Fails To Show

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Registration Law Is Urged

TUSKEGEE INSTITUTE, Ala.—In a speech delivered Tuesday night, Charles V. Hamilton, chairman of the political education committee of the Tuskegee Civic Assn., revealed that the TCA had called on the U. S. Congress to enact a Federal law regulating voter registration.

"The resignations of the boards of registrars at will, thus crippling indefinitely the registration process in certain counties of the State of Alabama, leaves affected citizens with no alternative but to call on the Congress for assistance," Hamilton said. He revealed also that different unregistered Negroes in Macon County have petitioned the Alabama State Board of Appointment every week beginning with the first week of the current administartion.

"Twenty-one separate petitions bearing 252 signatures of local citizens have been submitted to the governor, the auditor and the commissioner of agriculture and industries (the State board of appointment) but these officials have neither acknowledged receipt of these petitions, nor have they heeded the appeals to appoint a publicly functioning board of registrars for Macon County," Hamilton said.

Speaking before the 101st mass meeting of the TCA, which was held at the Washington Chapel AME Church, Hamilton, who is an assistant professor of political science at Tuskegee Institute, displayed copies of petitions bearing over 2,000 signatures coming from many parts of the country, urging this Congress to "give thorough consideration to and to pass an effective federal law regulating voter registration."

Hamilton said that in addition to the 252 requests to the appointing board, no less than 15 individual letters have gone to officials in the state government who have to do with the protection of voting rights, complaining of no functioning board in Macon.

Making reference to Gov. Patterson's statement made in February to the effect that no one would be willing to serve on the Macon County Board of Registrars, the speaker said "it is known that no less than eight citizens of Macon County have requested, through proper channels, to become members of this three-member board."

Accompaning the petitions to the Congress was a draft of a proposed law drawn up by the Tuskegee Civic Assn., embodying essential points for an effective federal voter registration law. The proposed law would provide for federal authorities to register individuals once the local registration process has broken down.

The Rev. K. L. Buford, acting president of the TCA, stated that copies of the petitions and the proposed law were sent to Senator Paul Douglas (D. Ill.) and Representative James Roosevelt (D. Calif.). Several other members of the Congress are being urged to actively support the passage of such a law.

TUSKEGEE-BOUND — Jackie Robinson, former Brooklyn Dodger baseball star and now a New York businessman, will be the main speaker at the second anniversary celebration of the Tuskegee Civic Association, June 23, at the Greenwood Missionary Baptist Church. Robinson's speech will also be piped into the Washington Chapel AME

TCA Will Hear C. V. Hamilton

TUSKEGEE INSTITUTE, Ala.—The Tuskegee Civic Association will launch a concerted effort to get the Congress of the United States to pass an effective federal law regulating voter registration at its 101st mass meeting June 16. Petitions, sent out by the TCA, have been signed by hundreds of individuals all over the country and these petitions will be forwarded by the TCA to the U.S. Senate and to the House of Representatives.

Charles V. Hamilton, assistant professor of political science, Tuskegee Institute, and chairman of the political education committee of the TCA, will be the speaker. His topic will be: "A Federal Voter Registration Law: What Right, What Chance, What Choice."

The mass meeting will be held at Washington Chapel A M E Church at 7:30 p.m.

The association intends to conduct an intensive follow-up campaign to get the bill through the Congress. This new campaign comes at the time of the observance of the Second Anniversary of the TCA Crusade for Citizenship. Nationally prominent Jackie Robinson will be the speaker on that occasion on June 23, 1959.

Jackie Robinson To Speak At 'Skegee Citizenship Drive

JACKIE ROBINSON

TUSKEGEE INSTITUTE, Ala. — (SNS) — Colorful and controversial Jackie Robinson, formerly of the Brooklyn baseball team, is scheduled to deliver the featured message at the second anniversary celebration of the "Crusade for Citizenship" set for 7:30 Tuesday night, June 23 at Greenwood Baptist Church here.

The celebration is sponsored by the Tuskegee Civic Association of which the Rev. K. L. Buford is acting president. The Rev. Buford said that Mr. Robinson's speech will be piped to the Washington Chapel A. M. E. Church.

The TCA - Sponsored weekly meetings began June 25, 1957 during the controversy over the shrinkage of the City of Tuskegee. For a time there was economic resistance by the affected group and sympathizers.

Mr. Robinson is vice - president of Chock Full 'O Nuts in New York and is a gifted speaker.

Three New Vote Registrars Appointed To Macon Board

A new voter registration board for Macon County was appointed Thursday but it was uncertain whether any of the three new members would accept the appointment.

Macon County has been without a voter registration board since Dec. 10 when the remaining two board members resigned after the Civil Rights Commission began an investigation into Negro voting complaints in Macon and five other south Alabama counties.

The third member of the board had died a short time before.

Howard Lynn of Notasulga Rt. 1, was designated as chairman of the new board to succeed E. P. Livingston, who resigned.

The other two board members appointed were J. H. Sadler Tuskegee, who succeeds State Rep. Grady Rogers and John Sullivan who replaces the late Jesse Zachery.

Neither of the three appointees had received any official notice of the nomination late Thursday and one said he knew nothing about it until notified by The Advertiser.

Sadler said he "didn't know anything about it," referring to the appointment, and refused to comment on it until he could "look into it a little further."

Sullivan said he had heard "some talk" about his possible appointment but nothing official. He said he couldn't say anything definite yet but indicated he didn't think he would accept.

Lynn said he had heard Thursday about the appointment but it was not from the governor. He refused to say what action he would take on the appointment until he was officially notified.

The appointment of the new board was announced by the three state officials charged by law with the selection of registration officials—Gov. John Patterson, State Auditor Marv Texas Hurt Garner and Agriculture Commissioner R. C. (Red Bamberg.

The announcement came shortly after a Tuskegee Negro organization, the Tuskegee Civic Assn., disclosed it had asked federal officials to create a federal voter registration agency because of the absence of a state board.

No one, white or Negro, has been able to register as a voter in the county since December.

NEGRO COMPLAINTS

The Civil Rights Commission undertook its investigation in Macon and the five other counties after Negroes complained that they were denied registration because of their race.

After the Macon County board members resigned, the Justice Department filed suit in Federal Court to prohibit authorities in the county from discriminating against prospective Negro voters.

The suit charged that registrars there had denied voting rights to Negroes for many years and that it had become a systematic pattern.

Dist. Judge Frank M. Johnson Jr., of Montgomery threw the suit out of court because there was no functioning board to take action against and because the Civil Rights Act of 1957 authorized the filing of suits only against individuals.

ARGUMENTS OVERRULED

The government had contended first that Livingston and Rogers couldn't legally resign under Alabama law until their successors had been chosen.

It argued, too, that an injunction could be issued against the registration board even in the absence of functioning members, and also that the state could be brought in as a defendant in the suit.

Johnson overruled all those arguments. The Fifth U. S. Circuit Court of Appeals at New Orleans upheld him.

Negro voting has ong been a major issue in Macon County where members of that race outnumbers white residents nearly 6 to 1. The county has been without a registration board for as long as 18 months in the past.

Work Begins On Tuskegee Bank Project

TUSKEGEE (Special) — An expansion program for the Alabama Exchange Bank got under way last week as work began on the building next door to its present location on the northwest corner of the square.

The part of the building being renovated and remodeled is actually a part of the original building. However, for many years it has been partitioned off and occupied by other enterprises.

A night depository will be added, to be located on the corner at the present front entrance to the bank. The main entrance will be at the front of the building and the side entrance on North Main street will give access to the bookkeeping department.

James Griggs, general cashier of the bank, pointed out that a new service being added is safety deposit boxes. Adequate booths for privacy in the use of these boxes will also be provided.

"In our new quarters, we expect to offer every up-to-date banking service," Griggs said.

In the new building, completely fire-proof and comfortable air-conditioned, two safety - proof vaults will be provided; one for the money vault and the other for the filing and safe-keeping of photostatic copies and records.

The approximate 3,600 feet of floor space will be covered with terrazzo tile in the lobby and vinyl tile elsewhere. Desks, fixtures and counters will be in walnut finish and the walls and ceiling will be painted in soft pastels.

Two private offices for bank officials will be provided at the rear and several consulting offices will be conveniently placed up front.

"As we go into this extensive expansion program," said J. A. Parker, vice president of the bank, "we are completing our 20th year in Tuskegee. Our faith in the future of this fine city is expressed in our further investment here."

Robinson Lauds Tuskegee Group

By HAKMON G. PERRY

TUSKEGEE INSTITUTE, Ala., — (SNS) —

Former major league baseball star Jackie Robinson lauded the citizens of Tuskegee, Ala., for setting the example for Negroes in other cities in their crusade for citizenship, and added that "things are happening elsewhere because of what is happening here."

Robinson, the first Negro to break into major league baseball, was appearing as guest speaker before a mass meeting in celebration of the second anniversary of The Tuskegee Civic Association. He appeared before an overflowing crowd at the Greenwood Missionary Baptist Church. His address was also relayed to a similar crowd that gathered at the Washington Chapel A. M. E. Church a few blocks away.

He surmised that it was the responsibility of all Negroes who had attained success to stand up and be counted, because the problem that confronts the least, confronts all.

"Nothing angers me more," he said. "than to see a Negro succeed, then sit back and say 'I've got it made." He further held that the "uncle tomists" have got to be exposed.

PATIENT AND LOYAL

Robinson told the audience that the Negro has been patient and loyal, but has been told that he is pressing too fast. To this he replied that if the pace was slowed "we'd be going backwards." "We must look at the distance we have yet to go."

In further praise of the Tuskegee Civic Association, and the citizens of Macon County, Robinson felt certain that things had reached a point where they were no longer yelling for help, but are now demanding. He told them that, in their unity they must continue to press.

The new Negro, said Robinson, is out to let the world know that he is human, and is no longer interested in laughing when he is not tickled. Our fight is not a laughing matter, he said.

Robinson was overwhelmingly received both before and after his address. Prior to the mass meeting, he toured the famous Tuskegee Institute campus, and the Veteran Administration Hospital, guided by Rev. K. L. Buford, Acting Vice President of the TCA.

JACKIE ROBINSON BESEIGED BY TUSKEGEE AND MACON COUNTY CITIZENS—This was the typical reaction everywhere the former baseball star appeared before and after his address in celebration of the second anniversary of the Tuskegee Civic Association. Robinson explained his visit with . . . . "I just wanted to come." (Photo by Perry)

34d 1959

TUSKEGEE CIVIC ASSOCIATION

Professor Says School 'Burden Of Proof' Rests On Negroes

The Montgomery Advertiser 11-13-59

TUSKEGEE INSTITUTE — A ruling by a three-judge Federal District Court signified that in future arguments against school segregation the "burden of proof" will be on the shoulders of Negro plaintiffs, rather than on the segregationists, according to Dr. Stanley H. Smith, associate professor of sociology at Tuskegee Institute.

Dr. Smith, addressing the 122nd consecutive Tuesday night protest meeting of the Tuskegee Civic Association, said that the Oct. 4, 1958 ruling that the Alabama School Placement Law was "not unconstitutional on its face" shifted the burden of proof to the plaintiff.

He said that the Supreme Court upheld the decision involving the suit of Negro parents to enroll their children into two all-white schools in Birmingham. "Judges throughout this decision," he said, "have suggested to Negro plaintiffs how not to argue and how they may go about arguing a similar case." In the future, he predicted, Negroes must prove that "a law which is constitutional on its face may, in fact, be unconstitutional in its application."

He said that the Alabama School Placement Law and two other "closely connected obstacles" must be overcome before an approach to legal equality in the public schools can be made. He called the placement law "the main prop" of segregation in schools, and named as supporting obstacles the Boutwell (Freedom of Choice) Amendment and a 1957 amendment to the placement law, "giving local school boards subpoena power to call witnesses when specific assignments had been questioned."

Dr. Smith said that "it is now apparent that no school district in the Deep South has integrated its public schools," and added that it is also apparent that "these things will not be done voluntarily on the part of white officials."

The sociology professor told of the Macon County's school superintendent's pledge in 1955 to work for equally good educational facilities for both races," but charged that instead, "the usual threats and intimidations were resorted to." The board, he said, "threatened to dismiss everyone of the then 190 Negro teachers who took part in the so-called 'agitation'."

Even now "most of the Negro schools in Macon County are old, obsolete and dilipated by any standards," he asserted, adding that janitorial service is so inadequate that "students have to spend considerable time sweeping and cleaning corridors and classrooms, and even shoveling coal. Even teachers, he said, are hired in the Negro schools on "criteria other than training and ability."

Tuskegee Civic Association To Hear Talk By P. N. Geisel

Birmingham World 11-24-59

TUSKEGEE INSTITUTE, Ala. (SNS) — Paul N. Geisel is scheduled to be guest speaker at the mass meeting of the Tuskegee Civic Association set for 7:30 Tuesday night, Nov. 24 at [illegible] M. E. Zion Church. He is a candidate for his doctorate degree at Vanderbilt University Nashville, Tenn. Mr. Geisel is working with Dr. L. W. Jones of Tuskegee Institute on a research project dealing with sociology.

Paul Geisel

He holds membership in several social action agencies. His topic will be, "Are We Confining Our Youth Behind a Fence of Color."

Dr. C. G. Gomillion, TCA president, said that this will be the 124th weekly meeting for the promotion of civic democracy and citizenship education.

Also included on the program are the Rev. S. T. Martin and Mrs. Clara A. Calhoun. Officers and members of St. John A. M. E. Zion Church will conduct the 30 minute devotion preceding the featured program.

Tuskegee Group To Hear Adams

Montgomery Advertiser 11-25-59

Oscar W. Adams Jr., a product of Birmingham public schools and Howard University School of Law, will discuss the topic, "How to Enjoy Working In Civil Rights," when he addresses the 116th mass meeting of the Tuskegee Civic Association Tuesday at 7:30 p.m.

O. W. Adams Jr.

Adams has been engaged in the general practice of law in Alabama for 12 years and is president of the Abraham Lincoln Republican Club of Birmingham. The meeting will be held at the Washington Chapel AME Church. The Senior Choir will render music. William Mitchell is secretary.

DR. CHARLES G. GOMILLION, president of the Tuskegee Civic Association, is presented the Russwurm Award by Birmingham World Managing Editor Emory O. Jackson (l.), representing the National Newspaper Publishers Association, at TCA meeting recently. (See Story on Page 18).

Tuskegee Civic Association To Hear Emory O. Jackson

TUSKEGEE INSTITUTE Ala.—Emory O. Jackson, managing editor of the Birmingham (Ala). World, is scheduled to deliver the featured address at the Tuskegee Civic Association mass meeting set for Washington Chapel AME Church at 7:30 Tuesday night, Sept. 22.

His subject will be "The Alabama Newspaper Press and Civil Rights." Having served as managing editor of the bi-weekly Birmingham World since 1940, Mr. Jackson is thus qualified to deal with this topic. A graduate of Morehouse College, Mr. Jackson has been selected Birmingham's and Alabama's Man of the Year by many local and state-wide organizations. In addition, he has been cited by members of his craft for his factual reporting and pungent editorial writings.

Mr. Jackson, who is probably the greatest phrase-maker on the Alabama, scene. has always been in the thick of most efforts in the state that directed themselves toward bringing about a wider spread of democracy for all people. Probably the one act which more than any other accomplished by Editor Jackson that evoked the plaudits of democracy-loving Americans was his almost single handed success in halting the "Freedom Train's" schedule showing in Birmingham on a segregated basis.

Citizens who wish to hear a man who more nearly typifies the aspirations of freedom lovers through out Alabama would not want to miss being present at Washington Chapel AME Church Tuesday evening at 7:30 o'clock.

Mrs. Lewis To Spedk

TUSKEGEE INSTITUTE, Ala. —Mrs. Charlotte D. Lewis of the social science research department of Tuskegee Institute, and a member of the executive cabinet of the Tuskegee Civic Association, will bring the main message at the 120th weekly meeting of the TCA, Tuesday, Oct. 27.

Mrs. Lewis

Mrs. Lewis, who is a graduate of the Howard University School of Law, will use as her subject, "Human Rights at the Crossways."

The meeting that will be shared by Mrs. E. E. Alexander, the Rev. T. H. Brown and Frank J. Toland, will be held at the Mt. Olive Missionary Baptist Church.

That church's officers and choir will conduct a 30-minute devotional period immediately preceding the 730 P. M. meeting. The choir will provide music for the hour-long program.

Tuskegee Group Makes Mistake

Dec. 1 the Tuskegee Civic Association, a Negro organization which enjoys the support of a number of Tuskegee Institute Negroes, from reports, will be host to Mrs. Anne Braden of Louisville, Ky.

Mrs. Braden is the wife of Carl Braden, former *Courier-Journal* copyreader in Louisville. Braden in 1954 was convicted in criminal court on conspiracy charges which grew out of an incident following his giving help to a Negro who bought a house in a white area. The house subsequently was bombed and the state suspected Reds were behind that action. The Kentucky Court of Appeals later reversed the conviction, basing this on a U. S. Supreme Court ruling that state courts had no authority over sedition.

Braden is currently free pending appeal of a one-year sentence for contempt of Congress. He was a witness before a House Un-American Activities Committee hearing in Atlanta.

Braden, who was fired from his newspaper job in Louisville, currently produces a publication called the *Southern Patriot* and works for the Southern Conference Education Fund of New Orleans.

Braden himself was in Mississippi this week, voluntarily sitting in on a legislative hearing in Jackson. The hearing heard testimony from J. B. Matthews and others concerning alleged Red-fronters' activities in that state in connection with integration efforts. Matthews is a highly controversial figure, a once-Red turncoat who served the House Un-American Activities Committee but got too zealous for that group and was released. Matthews' opinions and conclusions are not to be taken at face value.

But there is no question that Braden is an active agitator, a zealot whose activities stir up peaceful relations between the races wherever he goes. His wife is involved in the same type of activity.

Tuskegee Negroes, in inviting Carl Braden's wife to talk to them, are making an error in our opinion. They are inviting to Tuskegee a person who is sure to do them no good. The Bradens' connections are open to considerable question.

Anne And Carl Braden

Mrs. Anne Braden To Address TCA

TUSKEGEE INSTITUTE, Ala.—(SNS)—Mrs. Anne Braden, author and civil rights leader of Louisville, Ky., is scheduled to be featured speaker at the meeting of the Tuskegee Civic Association at 7:30 Tuesday night, Dec. 1 at the Greenwood Missionary Baptist Church of which the Rev. Raymond Francis Harvey is the pastor.

Dr. C. G. Gomillion, president of the Tuskegee Civic Association, stated in making the announcement of Mrs. Braden's visit, that both "Carl and Anne Braden, field secretaries for the Southern Conference Education Fund, have long been active in the movement for racial integration, and a dedicated husband-wife team working toward the elimination of discrimination and segregation in the Southern states."

In 1954, the Bradens were indicted under a state sedition law in Louisville, Ky., after they helped a Negro family buy a house in a so-called white neighborhood. Mr. Braden served eight months of a 15-year sentence arising from this charge before the decision was overturned by a higher court. The Wall between a book written by Mrs. Braden, vividly tells this harrowing story as it addresses itself to a study of Southern race relations from the viewpoint. of a Southern white woman.

Reared in Mississippi and Alabama, Mrs. Braden worked as a newspaper reporter on The Anniston Star, The Birmingham News, The Birmingham Age Herald and The Louisville Times (Ky). The topic of Mrs. Braden's message will be "Interracial Work Toward Integration in the South."

TCA Awaits Talk By Mrs. Braden

TUSKEGEE INSTITUTE, Ala.—(SNS) — Mrs. Anne Braden, author of "The Wall Between," is scheduled to be the featured speaker at the Tuskegee Civic Association mass meeting set for 7:30 Tuesday night, Dec. 1 at the Greenwood Baptist Church. She, along with her husband, Carl, serve together as field secretaries for the Southern Conference Education Fund and editor of The Southern Patriot, SCEF organ.

MRS. BRADEN

In 1954 Mrs. Braden was indicted along with her husband, under a sedition law in Louisville, Kentucky, after they helped a Negro family buy a house in a so-called white neighborhood. Mr. Braden served eight months of a 15-year term arising from this charge before the decision was overturned by a higher court. Mrs. Braden's book vividly tells this story as it addresses itself to a study of Southern race relations from the viewpoint of a Southern white woman.

Mrs. Braden has long been active in the elimination of discrimination and segregation in the Southern states, and has served as reporter for several Southern newspapers.

Other persons appearing on Tuesday's program are C. G. Gomillion, Rev. R. F. Harvey and W. P. Mitchell. Mr. Eugene M. Wynn will conduct the thirty - minute devotion, and the Tuskegee Institute Men's Chorus will provide music for the hour - long program.

White Woman To Address Negro Group

TUSKEGEE, Ala. (AP) — Mrs. Anne Braden, a Louisville, Ky., integration leader, will be speaker at a meeting of the Tuskegee Civic Assn. here Dec. 1.

Dr. C. G. Gomillion, association president, said Mrs. Braden, a white woman, and her husband have been active for many years in the movement for racial integration.

The Bradens are field secretaries for the Southern Conference Education Fund and were involved in a controversy in 1954 after they helped a Negro family buy a house in a white neighborhood at Louisville.

Mrs. Braden's topic will be "Interracial Work toward Integration in the South."

Paul Geisel To Speak At Tuskegee Tuesday

Paul N. Geisel, a candidate for doctorate degree at Vanderbilt University, and presently working with Dr. L. W. Jones, of Tuskegee Institute, on a research project dealing with sociology, will bring the principal address at the 124th weekly education meeting of the Tuskegee Civic Assn. Geisel, who holds membership in several social action agencies, will use as a topic: "Are We Confining Our Youth Behind a Fence of Color." The meeting, according to Dr. C. G. Gomillion, president of the TCA, will be held at the Butler Chapel AME Zion Church. The officers and choir of St. John AME Zion Church will conduct the devotion. The meeting will be held Tuesday at 7:30 p.m.

Robinson Talk Heard By 3,000

Advertiser
March 29 59

TUSKEGEE INSTITUTE —Jackie Robinson of New York City told 3,000 persons at the second anniversary celebration of the TCA's Crusade for Citizenship, that, "Because of what you are doing here, you see things happening in other places."

The meeting, held Tuesday, was the 102nd in a series of weekly meeting sponsored by the Tuskegee Civic Assn.

The speaker who delivered addresses at the Greenwood Baptist Church and Washington Chapel AME Church, spoke earlier to patients at the Veterans Administration Hospital, and the Little Leaguers on Tuskegee Institute High School recreation grounds.

"We are only asking for what is rightfully ours under the Constitution," he said. "If America survives, we are going to get our opportunities."

The speaker said "nothing angers me more than to see a Negro sit back and say 'I got mine—now you get yours.'"

He said "our doctors, lawyers and businessmen owe it to our fellowmen to get into the fight."

The Rev. K. L. Buford, acting president of the TCA presided, and Frank J. Toland, 1st veep, gave the occasion.

Fail to Spread Understanding on School Issue

Dixie Dailies Blasted

TUSKEGEE INSTITUTE, Ala. —Emory O. Jackson, managing editor of the Birmingham World newspaper, told members of the Tuskegee Civic Association Sept. 22 that "Alabama needs to launch a campaign to help drive the disfranchisement sharks from their entrenchment."

• Addressing some 300 Negroes at the 115th consecutive weekly meeting of the TCA, Jackson paid tribute to the Negro press, hailed it as, "perhaps the only segment of the total Alabama press to support the school desegregation decision," and indicted the white daily press for its failure to "develop and spread understanding."

• "The Alabama daily press," he said, "often, in my opinion, has passed up ever recurring opportunities to develop and spread understanding. You cannot have an understanding citizenry," he said, "if you have a misunderstanding press."

In presenting Jackson, Frank Toland, vice president of the TCA, threw an obvious barb at Sam Engelhardt, director of the Alabama Highways Department.

Said Toland, "Our speaker, frequently, is called an 'agitator.' But he cannot be compared with the agitator who would reduce the size of a city to prevent citizens from exercising their right to vote."

■

A FEDERAL District Court has upheld the gerrymandering of sections of Tuskegee Institute outside the city limits, depriving many Negroes of city voting rights.

• At the conclusion of the speech, Jackson, representing the National Newspaper Publishers' Association, presented the Russwurm Award to C. G. Gomillion, president of TCA.

The award cited Dr. Gomillion for his "outstanding achievement in making possible a richer conception of democratic principles and, in tribute for upholding those highest traditions . . . of the American way of life."

Dr. Gomillion, chairman of the Division of Social Sciences at Tuskegee Institute, led Negro citizens of Tuskegee in a protest against the white merchants of the city, seriously crippling its commercial vigor.

TCA Leader To Receive News Award

TUSKEGEE INST., Ala.—C. G. Gomillion, president of the Tuskegee Civic Association, has been awarded a Russwurm citation and will have the presentation made to him on Tuesday, Sept. 22, by Emory O. Jackson, member of the board of directors of the National Newspaper Publishers Association.

Gomillion

The Russwurm awards, named for the founder of the first Negro newspaper, are presented each year to citizens "for outstanding achievements making possible a richer conception of democratic principles."

In the past these awards have gone to former President Harry S. Truman, former Governor James E. Folsom, Senator Hubert Humphrey and Thurgood Marshall—to name a few.

The presentation will take place at the Washington Chapel AME Church during the regular weekly meeting of the Tuskegee Civic Association, beginning at 7:30 P.M.

Atty. Adams To Speak for TCA Meet

TUSKEGEE INSTITUTE, Ala. —Atty. Oscar W. Adams Jr., a product of Birmingham, Ala. public schools and the Howard University School of Law, will discuss the topic: "How to Enjoy Working in Civil Rights," when he addresses the 116th mass meeting of the Tuskegee Civic Association Tuesday evening, Sept. 29, beginning at 7:30 o'clock.

Adams

Dr. McEnge To Speak At Next TCA Meeting

TUSKEGEE INSTITUTE — Dr. Withro McEnge, head, department of industrial education, Tuskegee Institute, who has just completed 20 months over seas as teacher-trainer, Advisor to the Ministry of Education of the Republic of Iran, will be the featured speaker at the next mass meeting of the Tuskegee Civic Assn. The subject of Dr. McEnge's message will be "U.S. Technical Assistance Program and the Southern Negro."

The meeting will be held at the Mt. Oliver Missionary Baptist Church, and will begin at 7:30 p.m., Tuesday, Dec. 8. The officers and Senior Choir of the Greater St. Mark Missionary Baptist Church will provide the devotion. Other persons appearing on the program will be the Rev. K. L. Buford, Harold Webb and William A. Winston.

Charlotte Lewis would ban Anti-American "brain washing" children

TUSKEGEE INSTITUTE, Ala. — A woman attorney cautioned here Tuesday night that colored Americans have "reached the crossways in strategy," and must seize the initiative in fashioning "creative methods to dramatize our plight."

Mrs. Charlotte Lewis cited the potent and vital role of litigation in the equal rights conflict and suggested that we might use a parallel approach in the field of social action, adding, "we must utilize the weapons of the opposition in counteracting the pressures being put upon us as pressure groups."

She listed as other action techniques publicity campaigns, the purchase of advertising space in newspapers, and utilization of various mass media of communications.

• • •

MRS. LEWIS, administrative and research assistant in the Department of Social Science Research at Tuskegee Institute, spoke out against following "old patterns" and gave this challenge to her audience of 250.

Said she: "While some of us have been brainwashed to 'know our place' and accept it, we must create in our children a self image of equality and encourage them to know their Constitutional rights and assert them."

• • •

THE SPEAKER pointed to the effectiveness of collective action suggesting that we "mobilize public opinion" and arm for the war of ideas. She continued: "Since we are politically impotent, many of our successes must come from the dramatic."

She enumerated the picket, ballot, mutual counseling and joint planning as strategy maneuvers which can be used in "dramatizing what at least some of us want, and hope to educate others similarly affected if not similarly interested."

Macon Board Will Bypass Applications

TUSKEGEE (AP)—Monday is the first day for voter registration since new registrars were named for heavily Negro-populated Macon County, but no applications will be accepted.

Although Monday is one of the first and third Mondays of each month set aside by law for signing up new voters, the courthouse room for that purpose will be as empty as it has been for the past year.

Wheeler Dyson of Tuksegee, chairman of the three-member registration board appointed by state officials Nov. 25, said the board will not function and did not know when operations will begin.

STILL UNDECIDED

Dyson and the other appointees, Everette Story of Tuskegee and S. S. Still of Hardaway, all reiterated they still had not decided whether they will accept the posts as voter registrars.

No new voters have been registered in Macon County, where Negroes outnumber whites nearly six to one, since this time last year. Three other registrars appointed in July refused to serve, giving reasons of Negro pressure and federal intervention.

The last county board dissolved last December when one member died and the other two resigned after the U.S. Civil Rights Commission began probing Negro voting complaints in six Alabama counties, including Macon.

SEEKING ORDER

A suit was later filed by the Justice Department seeking a federal court order to prohibit discrimination against qualified Negro voter applicants in the county.

U.S. Dist. Judge Frank M. Johnson Jr. dismissed the action, ruling that the resignation of registrars E. P. Livingston and State Rep. Grady Rogers left the government no one to sue.

DR. BENJAMIN E. MAYS

TCA to hear Mays, Routh

TUSKEGEE, Ala. — Dr. Benjamin E. Mays, president of Morehouse College in Atlanta, will be the guest speaker at the meeting of Tuskegee Civic Association at Greenwood Missionary Baptist Church on Feb. 8 at 7:30 p.m.

In addition to Dr. Mays, other local talent will participate on the program.

And on Feb. 8, Frederick B. Routh will address the association's "Race Relations Sunday" audience at Greenwood Missionary Baptist.

A former assistant professor of the Department of Human Relations at the University of Miami, Mr. Routh is now assistant director of the Southern Regional Council in Atlanta.

Besides his teaching post at the University of Miami, he has taught at the University of Heidelberg.

Rev. S. T. Martin Tuskegee Civic Ass'n Speaker

TUSKEGEE INSTITUTE, Ala. — The Rev. S. T. Martin is scheduled to deliver the featured speech at the weekly mass meeting of the Tuskegee Civic Association set for 7:30 Tuesday night, March 31 at the Greenwood Baptist Church.

He is pastor of Mt. Olive Baptist Church and TCA vice president. The Rev. Martin was the headlined speaker when TCA launched its freedom-building weekly mass meetings June 25, 1957.

Meantime, the Rev. K. L. Buford, acting president of the association announced that 51 persons have subscribed to life membership in the TCA. TCA life membership costs $25.

It was announced that Jim E. Kyle of Tuskegee purchased the first TCA life membership. TCA officials said they were shooting for a 100 life memberships.

SPEAKER—The Rev. Ralph D. Abernathy, first vice president of the Montgomery Improvement Association, will address the Jan. 6 mass meeting of the Tuskegee Civic Association.

TCA to Hear Rev. Martin

TUSKEGEE, Ala. — The Rev. S. T. Martin, pastor of Mt. Olive Baptist Church, and vice president of the Tuskegee Civic Association, will be the featured speaker at the weekly mass meeting conducted by the TCA Tuesday, March 31, at the Greenwood Missionary Baptist Church.

Dr. J. H. Owens, Tuskegee Civic Ass'n Speaker

TUSKEGEE INSTITUTE, Ala. — (SNS) — Dr. J. H. Owens, president of Selma (Ala.) University, was scheduled to be guest speaker at 7:30 this Tuesday night at the 88th freedom-building mass meeting of the Tuskegee Civic Association at Washington Chapel AME Church.

Meantime the TCA leadership announced that Daniel T. Williams, serials librarian at Tuskegee Institute, is scheduled to speak at the 89th mass meeting at 7 Tuesday night, March 24 at Greenwood Baptist Church.

His subject will be "Books That Have Changed the Thinking of the South."

He is a graduate of West Virginia State College and holds a M.S.L.S. degree from the University of Illinois. Mr. Williams is a member of the American Library Association and the Illinois Library Association.

Williams Will Address Tuskegee Civic Ass'n.

TUSKEGEE, Ala. — Daniel T. Williams, serials librarian at Tuskegee Institute, will address the 89th mass meeting of the Tuskegee Civic Association at Greenwood Baptist Church on Tuesday night, March 24.

Tuskegee Assembly Told "Stand Up For Freedom"

By EMORY O. JACKSON

TUSKEGEE INSTITUTE, Ala. — (SNS) — "Stand up for freedom and God will deliver you," urged the Rev. G. W. McMurray, of Birmingham, in an address at the 84th weekly mass meeting of the Tuskegee Civic Association held Tuesday night, Feb. 17, at the Washington Chapel AME Church pastored by the Rev. T. H. Brown.

The Rev. Mr. McMurray, pastor Metropolitan A.M.E. Zion Church in Birmingham, told the gathering that "the cause of freedom demands responsibility and hard work." He warned that "when you kill a man's spirit he is dead, because the divine drive which makes him quest for the best is no more aflame." For that reason, Rev. McMurray argued, "every person must commit himself to a scale of values to which, by losing himself, he can find himself."

In Birmingham, the Rev. McMurray is a member of the advisory board of Citizens Federal Savings and Loan Association, and holds a similar position with the Emancipation Association of Birmingham and Vicinity. He is executive secretary of the Ministers' and Laymen's Association of the A.M.E. Zion Church.

PERILS FACED

He said that "traditional American freedoms are facing great perils . . . from selfish Americans." He suggested that "the defense must be made (for these vital freedoms) by those of us who love freedom . . . (and are) . . . willing to stand up and sacrifice for basic truth."

Too, the Rev. McMurray said this defense of freedom can be made by those who "cherish the belief that all human beings are created to be free."

He laid down his doctrine for freedom protection, through efficiency, thrift, using the ballot, being respected, by possessing strong character, shouldering responsibility, and keeping alive the human spirit.

"This new day demands efficiency," he declared.

"Freedom means thrift," he insisted, illustrating how thrift helps to create capital to build business, create jobs, improve communities, and give one economic power.

"You can't win, or deserve the respect of others unless you have self-respect," asserted the Birmingham minister.

Stressing the need for a purity of character, the Rev. McMurray urged the gathering "never to allow any person or group to use you to do their dirty work or sell out for a little money."

He was introduced by the Rev. K. L. Buford, acting TCA president and pastor of Butler Chapel A.M.E. Zion Church where the first self-defense mass meeting was held after a majority of Negro voters had been sliced out of the city.

LETTER REFUSED, RETURNED

The Rev. Buford revealed that a registered letter sent to State Rep. Grady Rogers, signed for by his agent, had been refused, and returned. The TCA president said that the action by their lawmaker showed that he is not interested in anything the Tuskegee Civic Association has to say and that Mr. Rogers is not able to represent us.

Dr. Lewis W. Jones, director of research for the Rural Life Institute, is slated to speak at the TCA mass meeting set for Tuesday night, February 24, at Butler Chapel A.M.E. Zion Church. The Rev. J. F. Norwood, pastor of Bowen Methodist Church, is scheduled to speak Tuesday night, March 3.

SOAP BOX: The site where the new post office building at Tuskegee Institute is to be constructed has been cleared .... The new shopping center is to be expanded to include eight or more additional businesses . . . At least once a week about 12 different persons send letters or petitions to the three-person board that appoints Boards of Registrars urging them to appoint a Board of Registrars in Macon County .... Citizens here are hopeful that a Negro lawyer will set up either a branch or full-time office here. One of the big needs of Tuskegee Institute is a street-paving program . . . Butler Chapel A.M.E. Zion Church is in a giant building program. New property has been purchased by the church that gives it an outlet to a direct highway view. It has ample parking facilities .... In an off-cuff remark during his speech, the Rev. McMurray said that A. C. Bulls, developer of the shopping center and organizer of the ABC Super Market, was to Tuskegee what A. G Gaston is to Birmingham . . . One of the reasons a burned out grocery store never rebuilded here has never been revealed publicly.

Gayle, Sellers defeated—

Professor says Negroes swung Capital election

TUSKEGEE, Ala., April 13—(AP)—A Negro college professor says a solid Negro vote was instrumental in defeating two members of the Montgomery City Commission.

J. E. Pierce, professor of political science at the State College for Negroes in Montgomery, told the Tuskegee Civic Assn. Sunday he attributed the downfall partly to "the solidity of the Negro vote."

He said there also was a split among white voters.

Pierce said Negroes voted against incumbent commissioners in the Democratic primary March 16 and the runoff a week later because "we didn't feel we were given justice" during the long bus boycott and other racial matters.

THE COLLEGE professor also said many white voters felt resentful toward city officials because of a city sales tax put on in 1957.

He expressed belief, too, that the Citizens Council membership split over "the fact that one man tried to dictate which way to go." He referred to Council President Bruce Wyatt, who urged white voters to unite in a bloc vote in the runoff and support Mayor W. A. Gayle.

Gayle was defeated by former Commissioner Earl James. Police Commissioner Clyde Sellers was beaten by L. B. Sullivan in the first primary. Democratic nominations is tantamount to election.

Tuskegee Civic Group Seeks Federal Law To Boost Voters

TUSKEGEE INSTITUTE, Ala.—(ANP) — The Tuskegee Civic association will launch a concerted effort to get the U.S. Congress to pass an effective federal law regulating voter registration at its 101st meeting Tuesday. This new drive is prompted by the stalemate that has persisted in many southern counties regarding the registration of potential voters.

Macon county, Alabama, has been without a board of registrars since last Dec. 10. Petitions, sent out by the TCA, have been signed by hundreds of individuals all over the country and these petitions will be forwarded to the U. S. Congress.

Charles V. Hamilton, assistant professor, political science, Tuskegee Institute, and chairman, political education committee, TCA, will be the speaker at the mass meeting to be held at Washington Chapel AME Church. His topic will be "A Federal Voter Registration Law: What Right, What Chance, What Choice?"

The association intends to conduct an intensive follow-up campaign to get the bill through the Congress. Many organizations and individuas throughout the country have been and will be conducted to encourage their congressional representatives to support this measure. This new campaign comes at the time of the observance of the second anniversary of the TCA Crusade for Citizenship. Nationally prominent Jackie Robinson will be the speaker on that occasion on June 23.

He is a member of the social action committee of the Seventh District of Omega Psi Phi Fraternity.

TCA To Hear Address By Pierce April 12th

TUSKEGEE INSTITUTE, Ala.—(ANS)—E. Pierce, professor of political science at Alabama State College, Montgomery, Ala., is scheduled to be guest speaker at the regular meeting of the Tuskegee Civic Association set for 3:00 p. m., Sunday, April 12 at the Butler Chapel AME Zion Church. Mr. Pierce will discuss the recent Montgomery city election. He is an authority on political analysis.

Prof. Pierce is a board member of the Montgomery Improvement Association and a deacon of First Baptist Church in Montgomery.

Father Vernon A. Jones Tuskegee Civic Speaker

TUSKEGEE INSTITUTE, Ala. — (SNS) — Father Vernon A. Jones, vicar of St. Andrews Episcopal Church, was slated to speak at 7:30 this Tuesday night, Aug. 18 at the Washington Chapel AME Church.

His subject will be, "Citizenship: A Privilege and Responsibility."

Others listed to appear on the 90-minute program include the Revs. A. O. Young, K. L. Buford (acting president); Miss Klaine Harrington and Mrs. Minnie H. Love.

Dr. Williams To Talk To Civic Organization

TUSKEGEE INSTITUTE, Ala. —"Booker T. Washington, Ballot and Business". will be the subject used by Dr. Chancellor Williams of Howard University when he addresses the 107th mass meeting of the Tuskegee Civic Assn., at 7:30 tonight.

Dr. Williams, who was a research scholar at Oxford University, England, received his doctorate from American University. While he is a teacher at Howard University he is actively identified with civic movements in Washington.

The meeting will be held at Washington Chapel AME Church.

Gomillion Gets Coveted Russwurm Award

Tuskegee Institute, Ala. —Emory O. Jackson, managing editor of the Birmnigham World newspaper, told members of the Tuskegee Civic Association September 22 that "Alabama needs to launch a campaign to help drive the disfranchisement sharks from their entrenchment."

Addressing some 300 Negroes at the 11th consecutive weekly meeting of the TCA, Jackson paid tribute to the Negro Press, hailed it as "perhaps the only segment of the total Alabama press to support the school desegregation decision," and indicted the white daily press for its failure to "develop and spread understanding."

Understanding

"The Alabama daily press," he said, "has often, in my opinion, passed up ever recurring opportunities to develop and spread understanding. You cannot have an understanding citizenry," he said, "if you have a misunderstanding press."

In presenting Jackson, Frank Toland, vice president of the TCA, threw an obvious barb at Sam Engelhardt, director of the Alabama Highway Dept. Said Toland: "Our speaker is frequently called an 'agitator.' But he cannot be compared with the agitator who would reduce the size of a city to prevent citizens from exercising their right to vote."

A Federal District court has upheld the gerrymandering of sections of Tuskegee Institute outside the city limits, depriving many Negroes of city voting rights.

At the conclusion of the speech, Jackson, representing the National Newspaper Publishers' Association, presented the Russwurm Award to C. G. Gomillion, president of the TCA.

Gomillion

The award cited Dr. Gomillion for his "outstanding achievement in making possible a richer conception of democratic principles and in tribute for upholding those highest traditions . . . of the Ameriacn way of Life."

Gomillion, chairman of the Division of Social Sciences at Tuskegee Institute, led Negro citizens of Tuskege in a protest against the white merchants of the city, seriously crippling its commercial vigor.

Dr. Richardson To Address TCA Meeting At Tuskegee

TUSKEGEE INSTITUTE, Ala. — (SNS) — Dr. Harry V. Richardson, president of Gammon Theological Seminary, Atlanta, Ga., is scheduled to be the featured speaker at the 7:30 o'clock Tuesday night, Jan. 20, mass meeting of the Tuskegee Civic Association at Greenwood Missionary Baptist Church.

The Rev. K. L. Buford, TCA acting president, made the announcement this week. The Rev. B. F. Harvey is pastor of the host church.

Other participants on the program will be Dr. D. W. Wynn, Rev. J. F. Norwood, Rev. K. L. Buford, and Miss Adella Shields. Music will be provided by the Tuskegee Institute Male Quartet, under the direction of William Wiley. Mrs. Melville Bryant will render a solo.

Edwards To Discuss 'The Man Of Destiny'

TUSKEGEE INSTITUTE, Ala., (SNS)—The Rev. V. A. Edwards was scheduled to discuss "The Man of Destiny: To Go Thru Samaria" at the Tuskegee Civic Association mass meeting set for 7:30 Tuesday evening, Jan. 13 at the Washington Chapel A. M. E. Church.

He is director of religious extension at Tuskegee Institute. The program will feature other local talent.

There was a four person panel discussion of "Reflections and Projections Relating to the Civil Rights Commission Hearing" at the regular TCA meeting held Sunday, Jan. 11.

Panelists included Miss Fidelia Jo Ann Adams, Dr. W. Hunter, Dr. D. W. Wynn and Eugene Adams. W. P. Mitchell, chairman of the TACA voter franchise committee served as moderator.

Tuskegee Civic Unit To Hear Richardson

TUSKEGEE INSTITUTE — Dr. Harry V. Richardson, president, Gammon Theological Seminary, Atlanta, and former chaplain of Tuskegee Institute, will address the Jan. 20 mass meeting of the Tuskegee Civic Assn. according to the Rev. K. L. Buford, acting president of the TCA.

Other participants will be Dr. D. W. Wynn, Rev. J. F. Norwood, Rev. K. L. Buford, and Miss Adella Shields.

The Tuskegee Male Quartet, under the direction of William Wiley, will render the music. Mrs. Melville Bryant will render a solo.

The meeting will be held at the Greenwood Missionary Baptist Church, the Rev. R. F. Harvey, pastor, at 7:30 p.m.

William P. Mitchell, secretary.

TCA To Hear Dr. B. E. Mays February 3

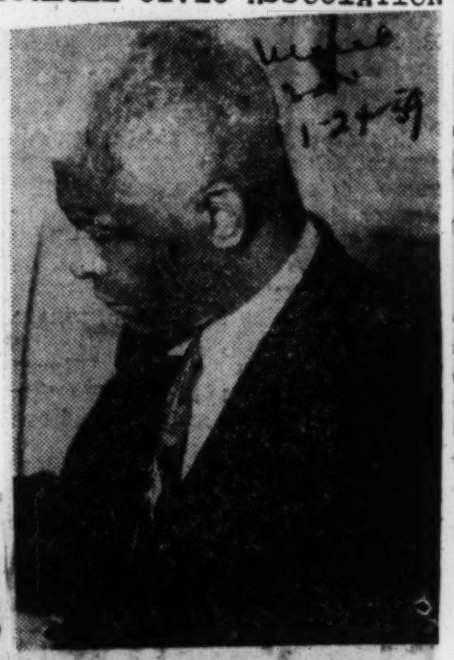
TUSKEGEE INSTITUTE, Ala. — (SNS) — Dr. Benjamin E. Mays president of Morehouse College, Atlanta, Ga., is scheduled to speak at the Tuskegee Civic Association mass meeting at 7:30 Tuesday evening, Feb. 3 at the Greenwood Missionary Baptist Church here.

Dr. Mays, a Phi Beta Kappa scholar, is president of the United Negro College Fund. Widely traveled a deep-water author, newspaper columnist, Dr. Mays is also regarded as one of the nation's outstanding gospel ministers.

Tuskegee Institute, Ala., has come into the national spotlight with its celebrated civic democracy program. One of the outstanding achievements listed is its economic development program. Attention has also centered on the TCA's political education program.

Civic Group To Hear Talk By Rev. Edwards

TUSKEGEE INSTITUTE, Ala., —The Rev. V. A. Edwards, religious extension director at Tuskegee Institute, will deal with the topic "The Man of Destiny: To Go Thru Samaria" when he comes before the Tuskegee Civic Association audience Tuesday, 7:30 p.m. The meeting will be held at the Washington Chapel AME Church, and will feature local talent. William P. Mitchell is secretary.



DR. BENJAMIN E. MAYS

Mays And Routh Plan Addresses

TUSKEGEE INSTITUTE, Ala. —Slated by the Tuskegee Civic Assn. for meetings this week are Dr. Banjamin E. Mays, president of Morehouse College, Atlanta, and Frederick B. Routh, assistant director, Southern Regional Council, Atlanta.

According to the secretary of TCA, William P. Mitchell, Dr. Mays will speak Tuesday night at 7:30 at the Greenwood Missionary Baptist Church.

Dr. Mays has traveled extensively and written and published articles for national publications. His speaking engagements have carried him the length and breadth of the United States.

Sunday, Feb. 8 at 3:30, F. B. Routh will be the guest speaker at the above named church in the observance of "Race Relations Sunday." The speaker is best identified with his work in community counseling in race relations. He has the title of race relations consultant.

The Rev. K. L. Buford, acting president of the TCA, stated that this meeting is open to all races. The membership committee of the TCA, headed by Mrs. Mamie H. Love, will make f final report of the current campaign.

Civic Group At Tuskegee Sets Speaker

TUSKEGEE, Ala. — Frederick B. Routh, assistant director, Southern Regional Council, Atlanta, Ga., will be the speaker at the Tuskegee Civic Association meeting Sunday, Feb. 8 when the Tuskegee Civic Association observes "Rose Relations Sunday."

Mr. Routh

Mr. Routh is best identified with his work in community counseling in race relations. His success in this field has gained for him the title race relations consultant.

The Rev. K. L. Buford, acting president of the Tuskegee Civic Association, stated that this meeting is opened to all races, and it will be held at the Greenwood Missionary Baptist Church.

The membership committee of the Tuskegee Civic Association, headed by Mrs. Mamie H. Love, will make its final report of the current campaign at this time. The meeting will begin promptly at 3:30 P. M.

TCA meeting set Dec. 31

TUSKEGEE INSTITUTE, Ala. — Harry Golden, editor-author-humorist, will bring the feature message Wednesday evening (Dec. 31) when the Tuskegee Civic Association holds its 77th mass meeting at Greenwood Missionary Baptist Church.

Mr. Golden, who is the editor and publisher of the Carolina Israelite, Charlotte, N.C., is the author of the present best seller, "Only in America."

The Rev. K. L. Buford, acting president of the association, announced that the program will be held jointly with the annual Watch Night Services which begin at 10 p.m.

The TCA program is from 10 to 11, and the Watch Night Services sponsored annually by the Tuskegee Ministerial Association will be from 11 to midnight.

Negroes Oblivious To White Dealers, TCA Head Claims

(Journal State News Service)

TUSKEGEE—Negro citizens who were gerrymandered out of the Tuskegee city limits in 1957 "do not care anymore about the white merchants' plight," Rev. K. L. Buford, acting president of the Tuskegee Civic Assn., said here Tuesday.

"We have forgotten the town was there," the Negro minister stated, "and many of us will never return again."

Buford is serving as head of the TCA while Charles G. Gomillion, the elected presiden and dean of students at Tuskegee Institute, works toward his doctorate at Ohio State University

IRKED BY NAME

Admitting that he was among those bypassing local white merchants to trade elsewhere, Buford said, "Why should I be mistreated in a white man's store when I can get decent service in a Negro store? I don't like to walk in a store and be called 'George.' How in h . . . do they know what my name is? If they don't know, let them say 'how do you do?'"

Buford said he purchased most of his groceries at the Negro shopping center here, and most of his clothing in Montgomery. "Tuskegee merchants don't carry the kind of clothes I wear," he explained.

The minister said he was among a number of gerrymandered Negroes who would probably never trade in Tuskegee again. He added that in his opinion the situation would remain unchanged "at least through the next two generations."

Buford declared that Tuskegee Negroes objected to paying a majority of city taxes for civic improvements and then being denied the use of those facilities. He cited the city recreation area as an example.

"TREATED AS MEN"

"I believe all our problems would be solved if the race bars were taken down," he said. "We have no desire to mix socially; we just want to be treated as men."

There is no movement underway at the moment, Buford stated, to incorporate the Negro section into a separate municipality. But he said such a move was discussed before and could be brought up again.

Tuskegee Assembly Told: "Stand Up For Freedom"

By EMORY O. JACKSON

TUSKEGEE INSTITUTE, Ala. — (SNS) — "Stand up for freedom and God will deliver you," urged the Rev. C. W. McMurray, of Birmingham, in an address at the 84th weekly mass meeting of the Tuskegee Civic Association held Tuesday night, Feb. 17, at the Washington Chapel AME Church pastored by the Rev. T. H. Brown.

The Rev. Mr. McMurray, pastor Metropolitan A.M.E. Zion Church in Birmingham, told the gathering that "the cause of freedom demands responsibility and hard work." He warned that "when you kill a man's spirit he is dead, because the divine drive which makes him quest for the best is no more aflame." For that reason, Rev. McMurray argued, "every person must commit himself to a scale of values to which, by losing himself, he can find himself."

In Birmingham, the Rev. McMurray is a member of the advisory board of Citizens Federal Savings and Loan Association, and holds a similar position with the Emancipation Association of Birmingham and Vicinity. He is executive secretary of the Ministers' and Laymen's Association of the A.M.E. Zion Church.

PERILS FACED

He said that "traditional American freedoms are facing great perils . . . from selfish Americans." He suggested that "the defense must be made (for these vital freedoms) by those of us who love freedom . . . (and are) . . . willing to stand up and sacrifice for basic truth."

Too, the Rev. McMurray said, this defense of freedom can be made by those who "cherish the belief that all human beings are created to be free."

He laid down his doctrine for freedom protection, through efficiency, thrift, using the ballot, being respected, by possessing strong character, shouldering responsibility, and keeping alive the human spirit.

"This new day demands efficiency," he declared.

"Freedom means thrift," he insisted, illustrating how thrift helps to create capital to build business, create jobs, improve communities, and give one economic power.

"You can't win, or deserve the respect of others unless you have self-respect," asserted the Birmingham minister.

Stressing the need for a purity of character, the Rev. McMurray urged the gathering "never to allow any person or group to use you to do their dirty work or sell out for a little money."

He was introduced by the Rev. K. L. Buford, acting TCA president and pastor of Butler Chapel A.M.E. Zion Church where the first self-defense mass meeting was held after a majority of Negro voters had been sliced out of the city.

LETTER REFUSED, RETURNED

The Rev. Buford revealed that a registered letter sent to State Rep. Grady Rogers, signed for by his agent, had been refused, and returned. The TCA president said that the action by their lawmaker showed that he is not interested in anything the Tuskegee Civic Association has to say and that Mr. Rogers is not able to represent us.

Dr. Lewis W. Jones, director of research for the Rural Life Institute, is slated to speak at the TCA mass meeting set for Tuesday night, February 24, at Butler Chapel A.M.E. Zion Church. The Rev. J. F. Norwood, pastor of Bowen Methodist Church, is scheduled to speak Tuesday night, March 3.

An oral report revealed that a colored man whose identity was not revealed at the meeting had been attacked by a white merchant in the almost all-white shrunken city of Tuskegee.

SOAP BOX: The site where the new post office building at Tuskegee Institute is to be constructed has been cleared . . . . The new shopping center is to be expanded to include eight or more additional businesses . . . At least once a week about 12 different persons send letters or petitions to the three-person board that appoints Boards of Registrars urging them to appoint a Board of Registrars in Macon County . . . . Citizens here are hopeful that a Negro lawyer will set up either a branch or full-time office here. One of the big needs of Tuskegee Institute is a street-paving program . . . Butler Chapel A.M.E. Zion Church is in a giant building program. New property has been purchased by the church that gives it an outlet to a direct highway view. It has ample parking facilities. . . . . In an off-cuff remark during his speech, the Rev. McMurray said that A. C. Bulls, developer of the shopping center and organizer of the ABC Super Market, was to Tuskegee what A. G. Gaston is to Birmingham . . . One of the reasons a burned out grocery store never rebuilded here has never been revealed publicly.

in the city where the film had its world premiere.

The winning motion picture starring Poitier and Tony Curtis, was produced by Stanley Kramer and released by United Artists. The film was cited for its "powerful story showing how intense hatred between a Negro and a white man chained together, develops into respect and understanding."

Half-Year's Quota Already Passed

Tuskegee Civic Group's Members Join for Life

TUSKGEE, Ala.—The life membership program of the Tuskegee Civic Association that was launched for the first time this year has exceeded all expectations.

When the executive cabinet of the TCA authorized the life type of membership, which can be paid by putting $5 down and paying an additional $5 each year for five years until a total of $25 is paid, it set a goal of 100 members for 1959.

To date, however, according to Mrs. Mamie H. Love, chairman of the TCA membership committee, 51 persons have subscribed to life memberships and 12 of them have already paid in full.

"If citizens continue to purchase life memberships at the present rate, it is highly likely that the goal will be over-subscribed," the Rev. K. L. Buford, acting president of the association, said.

The life type of membership is also available to businesses and organizations.

Tuskegee's drive for members clicks

TUSKEGEE, Ala. — Tuskegee Civic Association's Life membership program, launched in January, has exceeded all expectations with 51 persons purchasing subscriptions.

Mrs. Mamie H. Love, chairman of the membership committee, announced that 12 of the 51 life members have paid in full while others have taken advantage of the $5 down and $5 per year installment.

JIM E. KYLE of Tuskegee purchased the first life membership. The cost of this type of membership is $25.

In announcing the installment plan, the Rev. K. L. Buford, acting president, said that when the executive cabinet authorized this type of membership it set a goal for 100 fully partially paid life members in 1959.

"If the citizens continue to purchase life memberships at the present rate," he added, "it is highly likely that the goal will be over-subscribed."

* * *

ALL FUNDS from the life memberships will be deposited with the hope that the account will swell so that a large portion of the association's expenses might be discharged through accumulated interest.

Life memberships are also open to organizations and businesses.

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MR. C.G. GOMILLION
RUSSWURM AWARD

Russwurm Award Winners For 1959, Pres. Ike Joins In Tribute To Negro Press

Through the nation citizens are joining President Dwight D. Eisenhower in saluting the Negro Press on this its 132nd Anniversary. A copy of the telegram to William O. Walker, president of the National Newspaper Association appears on another page.

During this observance citizens are invited to visit the plants of the newspapers and to consider the contribution of the Negro press.

RUSSWURM AWARD WINNERS FOR 1959

The 1959 Russwurm Award winners consist of two professional baseball players, an actor, entertainer, educator, housewife, judge, lawyer, prime minister, and housing developer. Another athlete and a television star were given honorable mention.

These awards named John Russwurm, the first Negro in America to become an editor and a college graduate are awarded annually during Negro Newspaper Week by the Nationanl Newspaper Publishers Association. This year marks the 132nd Anniversary of the Negro Press.

The coveted plaque reads:

"In recognition of outstanding achievement in making possible a richer conception of democratic principles and in tribute for upholding those highest traditions considered as the ideals of the American Way of Life."

The honorees are chosen annually in a poll of N.N.P.A. member publishers representing the majority of Negro owned newspapers in America. Frank L. Stanley, Sr., Publisher of the Louisville Defender, and chairman of the Association's Public Relations Committee announced the winners this week.

The Russwurm winners and personal citations are:

ERNIE BANKS (Chicago) For his unexcelled record as a major league baseball player.

HARRY BELAFONTE (New York City) For reaching the highest professional level as a singer and unselfish contributions to the Negro race.

ROY CAMPANELLA (St. Albans) For his exceptional courage, fortitude and inspirational leadership in spite of physical disability.

JOSEPH L. EICHLER (Palo Alto) For an uncompromising dedication to the cause of Civil Rights and human justice in the field of private housing.

G. C. GOMILLION (Tuskegee Institute) For leadership in the crusade to enlist Negro intellectuals in the battle for Civil Rights is Alabama.

SIDNEY POITER (Hollywood) For demonstrating that race is no barrier to ability to perform major characterizations in motion pictures.

PRIME MINISTER SEKOU TOURE (Guinea) For demonstrated courage in leading his nation to freedom.

MRS. CHARLES WHITE (Houston) For the courage and ability to win a local school board seat in spite of formidable opposition based on color and race.

J. EARNEST WINKINS (Awarded Posthumously) For distinguished governmental service and a most effective role in the U. S. Civil Rights Commission Vote probe in Alabama.

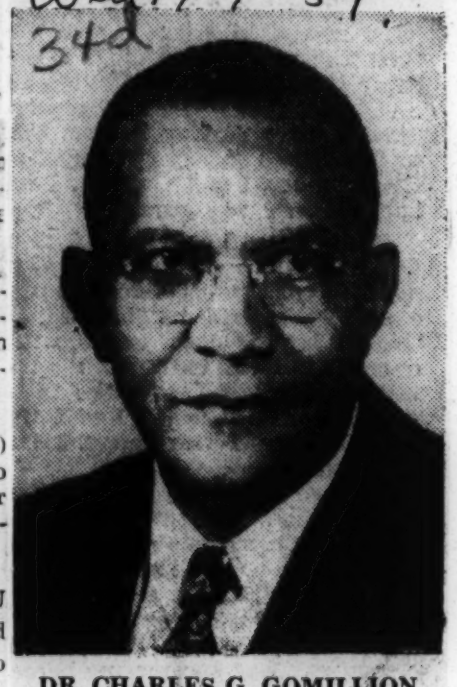
JUDGE DAVID W. WILLIAMS (Los Angeles) For giving commendable leadership to correcting local arrest abuses suffered by Negroes.

HONORABLE MENTION

ELGIN BAYLOR—For a positive stand against segregation in the face of jeopardizing a professional career.

PERRY COMO—For persistently recognizing talent irrespective of race.

Dr. C. G. Gomillion To Speak Sept. 13 At TCA Meeting



DR. CHARLES G. GOMILLION

TUSKEGEE INSTITUTE, Ala. — (SNS) — Dr. Charles G. Gomillion, returning to Tuskegee Institute after a one year's absence for study at Ohio State University, Columbus, Ohio, is scheduled to deliver the main message when the Tuskegee Civic Association meets at 3:30 p.m., Sunday, Sept. 13 at the Greater St. Mark Baptist Church.

Mr. Gomillion, who also was on leave from the presidency of TCA, will pick up again the reigns of leadership of this organization. In his absence, the Rev. K. L. Bulford, pastor of Butler Chapel AME Zion Church, served as acting president.

On Tuesday night, Sept. 22, Mr. Gomillion will be formally presented the Russwurm Award, given annually by the National Newspaper Publishers Association in recognition of outstanding leadership in the area of civil rights and social justice. Emory O. Jackson, managing editor of the Birmingham World and a member of the NNPA board of directors will make the presentation. He will also deliver the featured TCA mass meeting message.

34d 1959

TUSKEGEE CIVIC ASSOCIATION

12 TUSKEGEE NEGROES-VOTER REGISTRATION SUIT

Tuskegee suit appeal to top court planned

TUSKEGEE, Ala., Dec. 15 — Twelve Tuskegee Negroes, whose voter registration suit against the City of Tuskegee has twice been dismissed, plan to file an appeal this month to the U. S. Supreme Court.

The proposed appeal was announced by the Tuskegee Civic Assn. in its annual report. The report was read at a meeting at the Greenwood Missionary Baptist Church here.

The suit seeks to enjoin Tuskegee Mayor Phil M. Lightfoot and the city from enforcing a law which moved the boundaries of Tuskegee and removed more than 3000 Negroes from the city. About 400 of these were registered voters, the suit claims.

THE SUIT WAS dismissed Sept. 15 by the U. S. Court of Appeals for the Fifth Circuit. It previously was dismissed in U. S. District Court here.

The annual report said there were now 1046 Negro voters in Macon County, compared with 1110 last year. The 60 voters lost during the year were "due to death or to out-migration," the report continued.

The report also stated no voter registration took place in the county "due to the fact that there was no functioning board of registrars."

PETITIONS AND letters to the State Board of Appointment, "urging the appointment of a functioning board of registrars," also were displayed in the annual report.

The report said the association is supporting a congressional bill providing for the establishment of a federal voter registration commission.

The bill was introduced in Congress by Rep. Adams Clayton Powell, Negro representative from Harlem, in June.

RACIAL BILLS considered by the 1959 Alabama Legislature were summarized by the report.

Dr. C. G. Gomillion, head of the Department of Social Science, Tuskegee Institute, was reelected as president of the association for the ninth year.

Tuskegee Case Appeal Planned

TUSKEGEE (AP) — A suit seeking to put 3,000 Negroes back inside the city limits of Tuskegee will be appealed to the U. S. Supreme Court next month.

The suit, dismissed twice in lower federal courts, would prohibit enforcement of a law which changed the boundaries of Tuskegee and removed about 3,000 Negroes from the city.

The suit contends about 400 of the 3,000 Negroes were voters.

Plans to appeal the suit were announced by 12 Negroes in a report issued this week by the Tuskegee Civic Assn., a Negro organization.

Rights Commission Reports On Ala.

WASHINGTON — The Commission on Civil Rights today released the transcript of its hearings into voting rights held last December and January in Montgomery, Ala. The transcript includes testimony taken in executive session as provided by the law creating the Commission, and released now for the first time.

Gordon M. Tiffany, staff director of the Cimmission, stated that the testimony shows "a consistent pattern of deniial of equal protection of the laws as regards voting iin six Alabama counties." The counties to which he referred were Macon, Barbour, Bullock, Dallas, Lowndes and Wilcox.

In the executive session, held on January 9, 1959, the Commission heard testimony from members of its staff who had examined voting records in the counties involved. The staff members testified that a double standard was used by some Alabama registrars when considering white and Negro applicants for voter registration.

They testified that Negroes were required to copy lengthy articles of the United States Constitution and were often disqualifiield for minor mistakes that did not generally disqualify white applicants. They also testified that there was little uniformity in application of the registration laws and that some registrars were not familiar with the laws they were responsible for administering.

The material released today is the first published material released by the Commission, which will publish its report to the President and Congress by September 9. The transcript of the Commission's Conference on Education, held in Nashville, Tenn., last March, will be released next week. The transcripts of several housing conferences will be released about the first of September.

Voting In Macon

Opelika Daily News

APPOINTING officials acted wisely in not delaying the naming of a Macon County Board of Registrars any longer. The three-man board was announced this week to give the county a board for the first time since last December.

Negro groups in Tuskegee have used the fact that eligible Negroes were not able to register in the county as propaganda in their battle for federal interference in Alabama. Earlier this week, a Tuskegee Negro group contacted 33 congressmen about the situation and suggested a bill that would permit the federal government to step in and take over when counties go a certain period without a functioning board.

It is still possible, of course, that the three men appointed to the board will refuse to serve. The old board became inactive after former members complained of harassment from federal agencies and resigned their posts.

We hope the three men so named will see fit to accept and perform the duties of the board.

The right to vote should not be denied to any citizen who can meet the requirements of qualification. To deny such rights merely by refusing to appoint a functioning board of registrars will do far more harm to Alabama and her cause than the registering of all persons who can legally qualify under the registration laws.

Jobs

All Charge Harassment For Negroes

Gov. Patterson Says He Is Trying To Fill Office

Gov. John Patterson said today all three newly-appointed members of the Macon County Voter Registration Board have declined to serve.

Thus the county where Negroes outnumber white residents nearly 6 to 1 is still without a functioning board to register new voters, white or Negro.

No board has held office there since last December when the two remaining registrars resigned in the face of an investigation by the U. S. Civil Rights Commission.

Patterson made public copies of letter from the three board members appointed last week — Chairman Howard Lynn of near Notasulga and J. H. Sadler and John Sullivan of Tuskegee.

PRESSURE BLAMED

All three said they declined to serve because of pressure for Negro registration in the county and because of federal intervention.

The governor issued a prepared statement saying he and the other two members of the state appointing board—state auditor Mary Texas Hurt Garner and agriculture commissioner R. C. Bamberg —"have tried and are still trying to find competent citizens" to serve on the board.

But, he added, "our job is difficult because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission.

"It is hard to ask a man to subject himself to such treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

The civil rights commission underttook an investigation in Macon and five other Alabama counties late in 1958 after Negroe complained they were denied the right to vote because of their hace.

Chairman E. P. Livingston and State Rep. Grady Rogers resigned from the board Dec. 10. The third member, Jesse Zachary, had died a short time before.

U.S. GOES TO COURT

Later the Justice Department filed a suit in federal court seeking an injunction to prohibit registration officials from discriminating against qualfied Negroes.

U.S. District Judge Frank M. Johnson Jr. in Montgomery threw the suit out on the grounds that the resignation of Livingston and Rogers left no one to take action against. He ruled that the Civil Rights Act of 1957 permits suits only against individuals and not against the board itself or the state.

The Fifth U.S. Circuit Court of Appeals upheld Johnson, and an appeal to the Supreme Court is pending now.

Lynn in his letter to the governor declining the appointment to the registration board said he first intended to accept it.

"But after careful consideration," he wrote, "and in view of the fact that the board would most certainly be harassed and hounded by the U.S. Civil Rights Commission continuously and without letup as well as by other federal agencies, as well as the unreasonable publicity which has attended the appointment, I respectfully decline to serve at this time."

HARASSMENT FEARED

Sadler gave a similar explanation. He said his decision was based on "unwarranted publicity . . . and the possibility of future harassment . . ."

Sullivan said he declined because the Justice Department's suit against Livingston and Rogers is still pending on appeal.

An undetermined number of Negroes showed up to register Monday, the first registration day after the board's appointment was announced. But none of the three members was present.

Negroes have said they will try to get the federal government to set up a registration commission unless the State machinery can be put into operation.

VOTER REGISTRARS BALK IN ALABAMA

MONTGOMERY, Ala., July 23 (UPI)—Members of a new Macon County Board of Registrars have refused to serve for fear of being "hounded" by the United States Civil Rights Commission, Gov. John Patterson said today.

Governor Patterson ended several days of speculation about the status of the new three-man Macon board. He said that each man he had chosen had declined the appointment and that finding people to serve was difficult. He said:

"Our job is difficult because of the unwarranted harrassment by the Federal Government and part of the Civil Rights Commission. It is hard to ask a man to subject himself to such treatment as the previous Board of Registrars experienced in the past at the hands of the Federal Government."

There has been no Board of Registrars functioning in Macon County since last December.

Members of the former board resigned when the Civil Rights Commission sent investigators into the predominantly Negro county and scheduled hearings on complaints that Negroes had been discriminated against and had been denied voting rights.

The members who refused to serve were Howard Lynn, chairman; J. H. Sadler and John Sullivan.

Program on Alabama vote hearings wins NBC-TV a prize

"Report From Alabama", a special NBC News program on the hearings to investigate charges of denial of voting rights in Alabama, has won the television network a prize of $2,000.

The program was presented last Dec. 14.

NBC won four of 7 prizes presented in the fourth annual Robert E. Sherwood Television Awards competition prizes for special NBC News programs.

The "Loretta Young Show" won second prize for the play "Twenty Cent Tip" of May 31.

"The American Stranger", on the plight of Indians in the Northwest, received $2,000.

"Meet Mr. Lincoln", produced Feb. 11, won a $500 prize for "the application of a brilliant technique to a familiar and important subject".

The awards were presented by Mrs. Eleanor Roosevelt. The Robert E. Sherwood Television Awards were established in 1955 by the Fund for the Republic in honor of the late Pulitzer Prize playwright to honor progams that deal "most dramatically and effectively with the subject of freedom and justice".

New Appointees May Decline Posts Registrar's Board

None of the three newly-appointed members of the Macon County Board of Registration appeared Monday to serve on the first registration day since their appointment last Thursday.

One of the appointees, J. H. Saddler, motel and service-station operator of Tuskegee, said early this week that he had decided against accepting the appointment. He had been named to succeed State Rep. Grady Rodgers.

Designated as chairman of the board was Howard Lynn, of Notasulga, Rt. 1, to succeed E. P. Livingston, who resigned. The other board member appointed was John Sullivan, Tuskegee oil distributor, who was named to succeed the late Jesse Zachery.

Both Mr. Lynn and Mr. Sullivan have indicated that they were undecided about accepting the appointment.

Macon County Vote Case

(From The Birmingham World)

The U. S. Fifth Circuit Court of Appeals has upheld a lower court in dismissing a vote denial suit initiated by the U. S. Department of Justice in Macon County. The court has ruled, in effect, that present federal laws give no implementation to the Fifteenth Amendment. It seems that the court has put its stamp of approval behind the scheme where board of registrars can refuse to register Negro applicants, then resign, and be protected.

The U. S. Congress needs to find a way to implement the Fifteenth Amendment so that boards of registrars will be lawbound to do their duty or suffer for deliberate and methodical racial disfranchisement. President Eisenhower said the Civil Rights Bills were before the Congress for enactment, that he wanted a Right To Vote Law which would make political suffrage available to all qualified persons who wanted it. Such a law was not provided, it seems.

President Eisenhower should take the case not only of the right to vote, but civil rights, to the people. The Congress should pass a strong right-to-vote law which will hold the state itself responsible for racial vote denials. In Lowndes and Wilcox counties in Alabama the whole Negro group is denied a chance to register and vote. There is no board of registrars in Macon County. Bullock County has only five Negro voters.

Yet there is much non-voter Negro citizens can do. They can offer themselves for voter-registration. They can file complaints against unfair rejections with the U. S. Department of Justice. They can help to stimulate voter-registration campaigns. Voter-registration is a personal, individual, self-respect matter. It is hard to see how any person who respects himself could remain a non-voter without even so much as trying to register.

Rights Group Scores Resistance In Alabama

FROM PRESS REPORTS

WASHINGTON, Sept. 8—Formal hearings on complaints of discrimination against Negro voters were "met with open resistance by state officials" in Alabama and Louisiana, the Federal Civil Rights Commission reported to the President today.

The commission, which recommended that the Federal government be allowed to take over voter registration at the local level to halt discrimination, said it found that a "substantial number of Negroes" in seven states where it investigated complaints "are being denied the right to vote."

"The infringement of this right is usually accomplished through discriminatory application and administration of state registration laws," it said.

Macon County

The commission, singling out particularly the Macon County, Ala., Board of Registrars, said it also found instances in which there was no registration board in existence or none capable of functioning lawfully.

"In all such cases," it said, "the majority of the electorate already registered were white persons."

In its report the commission said "in both Alabama and Louisiana, the two states which led in the number of voting complaints, received by the commission, the commission and its staff encountered obstacles in its effort to examine records.

"These obstacles were erected upon existing state laws, or interpretations thereof, by state officials; they were at least partially effective as a deterrent to the commission's discharge of its duty.

"Specifically, officials of the state of Alabama interpreted constitutional provisions vesting adjudicatory powers in boards of registrars to pass upon applications as precluding examination thereof by a non-judicial body of the Federal government.

"This interpretation was held to be without merit by the Federal courts. Alabama officials further interpreted custodial and repositories provisions of state law by precluding production of the records at the commission's hearing. By compromise agreement, some of the records were examined by the commission staff after the hearing . . ."

The commission also said "After records in only one-half of the counties being investigated in Alabama had been examined, the state Legislature passed a bill which permits the destruction of application forms of persons denied registration. Such forms are essential to any investigation of denials of the right to vote."

After 25 Macon County Negroes testified the local board refused to register them, the registrars refused to testify. They resigned, and an injunction suit to compel registration of 17 Negroes was dismissed for "lack of anyone to sue."

"The commission found that boards of registrars in both Bullock and Macon Counties in Alabama frequently did not function as boards to register Negro applicants on scheduled dates for registration," the report said. ". . . And furthermore, state officials responsible for appointing members of boards of registrars repeatedly have delayed such appointments when boards became inoperative through resignation."

The report added that, "the commission finds that lack of an affirmative duty to constitute boards of registrars, or failure to discharge or enforce such duty under state law, and the function of such boards to function on particular occasions or for long periods of time . . . are devices by which the right to vote is denied to citizens of the United States by reason of their race or color. It further finds that such failure to act is arbitrary, capricious and without legal cause of justification."

The commission said that while conducting voting hearings in Montgomery last December, "The commission was impressed with the fact that its purposes were not fully recognized because of the divided authority for compelling the production of voting records. The commission can subpena such records but the initiative rests with the attorney general to petition the court to order a contumacious witness to comply with a commission subpena.

"Such divided responsibility is unusual. These situations require rapid, co-ordinated action and communication. Both are difficult to achive when there is dual responsibility and operation."

The commission recommended that it be given power to apply directly to a Federal Court for an order enforcing a subpena when a person refuses to obey such a subpena.

Citizen's Council To Meet Here Monday Night

The Macon County Citizen's Council will discuss the possibility of a federal probe of the Veteran's Hospital at Tuskegee when they hold a meeting next Monday evening. The American Legion Home in Tuskegee will be the setting for the meeting which will begin at 7:30 p m.

The chairman of the group, James M. (Kayo) Rea, of Notasulga, urged the attendance of all members.

Macon Ruling Upheld By Appellate Tribunal

Journal Montgomery, Ala.
Feb 6-17-59

NEW ORLEANS — The U. S. Fifth Circuit Court of Appeals has upheld a U. S. District Court in Montgomery dismissing a voter registration suit by the federal government against Alabama.

The Justice Department had asked District Judge Frank M. Johnson Jr. to stop the Macon County Board of Registration and the registrars from engaging in what it called certain discriminatory practices in connection with the registration of Negroes.

Judge Johnson ruled March 6 that the 1957 civil rights statute did not give the Justice Department authority to sue a state. He also held that the two registrars named defendants had resigned before the government's suit, so there was no one left to sue since the civil rights act permits suits against individuals only.

In its appeal, the federal government named the State of Alabama, et al, as defendants.

Upholding Johnson's decision, the appellate court said:

"Under the principle which has been and still is, controlling upon the federal courts, whatever Congress might or could do in providing a civil rights action for conferring federal court jurisdiction over a state, it has never heretofore done so and it has not in terms done so in the statute invoked here."

The federal government, in its suit, said only 8 per cent of eligible Negores in Macon County could vote in 1958.

It said only 1,100 Negores of some 14,000 of voting age were registered last year, while 97 per cent or about 3,000 of the county's 3,100 voting-age white citizens were registered.

The government contended the board applied tougher registration standards to Negroes and denied them registration solely on account of race.

Appeals Court Upholds Ouster Of Macon Suit

Advertiser
Montgomery, Ala.
Wed 6-17-59

NEW ORLEANS (AP)—The U.S. Fifth Court of Appeals Tuesday upheld dismissal of a voter registration suit in Macon County, Ala., where only eight per cent of eligible Negroes could vote in 1958.

The Appeal Court agreed with Jr.'s ruing that the justice department could not sue two Macon County registrars who had already quit.

The Justice Department also named the state of Alabama and the registration board as parties to the suit. But Johnson ruled the civil rights act permits suit against individuals only.

AFFIRMED RULING

Therefore, the Montgomery, Ala. judge said neither the state nor the registration board were suable, and the Appeals Court Tuesday affirmed the ruling.

In its suit, the government pointed out in 1958 only 1,100 Negroes of some 14,000 Negroes of voting age were registered to vote in Macon County. It said, at the same time about 3,016, or 97 per cent, of the county's 3,100 vote-age white citizens were registered voters.

The government said the board applied tougher registration standards to Negroes and denied vote registration solely on account of race. It asked relief against the board's practices in its suit.

The suit, titled United States vs. state of Alabama, was originally filed against registrars Grady Rogers, E. P. Livingston and the county registration board on Feb. 5.

The appeal came from the district court for Alabama's Middle District. Tuesday's appellate court District Judge Frank M. Johnson ruling was written by Chief Judge Joseph C. Hutcheson Jr.

Informed of the Court of Appeals decision here Tuesday night, Atty. Gen. McDonald Gallion hailed it as "a tremendous victory in upholding the rights of the sovereign states."

"It's wonderful news," he said. "I'm gratified to learn of the decision, and I'm highly pleased that we won. I'm confident that if it goes to the Supreme Court, we'll win it there."

Gallion defended Alabama in the voter registration suit.

State Sen. L. K. (Snag) Andrews, who was attorney for Livingson and Rogers and accompanied Gallion to New Orleans, said that "I am indeed happy that we've been successful."

"In my opinion, it's one of the most far-reaching cases ever filed in Alabama, and I'm sure glad we won."

Andrews also said that it was his opinion that the government "will take it on up to the Supreme Court of the United States.

"In fact, they indicated that they would in New Orleans," he added.

Tuskegee's Board Fails To Show Up For Registration

New Members 'Undecided' On Serving

Ala. Journal
Mon. 2-20-59
Montgomery, Ala.

By LYNNE BRANNEN

TUSKEGEE, Ala. (AP) — None of the three newly-appointed members of the Macon County Voter Registration Board showed up today on the first registration day since their appointment.

Neither was there a crowd of Negroes waiting to register as there has been in the past after the county had gone a long time with no functioning machinery for voter registration.

One Negro leader, Secretary William P. Mitchell of the Tuskegee Civic Assn., paid a brief visit to the courthouse to see if the board was meeting.

He said an uncounted number of other Negroes also had checked into it during the day and others might try during the afternoon.

Mitchell, who is chairman of the civic association's voter franchise committee, said the state board which appoints registrars will be asked to name three others if the present appointees fail to function.

He said there are 14,000 unregistered Negroes of voting age in the county and only some 1,100 Negro voters.

FIRST DAY

It was the first registration day since last December that the county has had an appointed board of registrars. One member of the old board died and the remaining two resigned after the Federal Civil Rights Commission started an investigation of complaints that Negroes were denied the right to vote because of their color.

Howard Lynn of nearby Notasulga Rt. 1, newly designated chairman of the three-man board, told the Associated Press by telephone from his home that he wasn't "ready to make any kind of a statement."

He and the other two appointees, J. H. Sadler and John Sullivan of Tuskegee, said they haven't decided whether to accept the appointments which were announced last Thursday by Gov. John Patterson, State Auditor Marv Texas Hurt Garner Agriculture Commissioner R. C. (Red) Bamberg.

Journal
Mon. 2-20-59

Lynn said the three men have had no chance to get together to discuss their appointments and he doesn't know when they will. He said he has been busy harvesting cotton on his 246-acre farm.

The chairman said he is still undecided whether to serve on the registration board and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" to his appointment but has made no final decision. The same reaction came from Sadler.

They concurred in Lynn's statement that no plans have been made for a board meeting and added that they had heard nothing of one for today.

Alabama law sets aside the first and third Mondays of each month for registration boards to meet in each of the 67 counties.

COMPLAINTS CHECKED

Macon County, where Negroes outnumber white residents nearly 6-1, was one of six Alabama counties where civil rights commission agents checked into Negro voting complaints.

Later, the Justice Department filed a suit in U. S. District Court at Montgomery charging Macon County officials with systematically refusing to register Negores and asking for an injunction to stop it.

But Judge Frank M. Johnson Jr., threw the suit out of court one the grounds that no registrars were serving in the county and that the Civil Rights act of 1957 allowed the government to take action only against individuals.

Because the board had resigned, Johnson ruled in effect that there was no one left to sue. The Fifth U. S. Circuit Court of Appeals at New Orleans upheld him.

Federal Court Ponders Fate On Tuskegee Law

Journal
Montgomery, Ala.
Wed. 2-20-59

NEW ORLEANS (AP) — The U.S. Fifth Circuit Court of Appeals has under advisement a case contesting an Alabama law that redefined the boundaries of the city of Tuskegee.

Federal District Judge Frank Johnson upheld the law. A group of Negroes filed the appeal of his ruling. The Negroes had lived in the city limits of Tuskegee before the 1957 Alabama Legislature changed the citys boundaries.

Their suit argues that the change in city boundaries deprives several thousand Negroes of the right to vote and is merely another device in a continuing attempt by the state of Alabama to disenfranchise Negro citizens.

Tuskegee, the suit said, was square-shaped until the 1957 law

eliminated the Negro neighborhoods, including the site of Tuskegee Institute. No white persons were affected, the appeal said.

Dismissal of Vote Suit In Alabama Is Upheld

Washington, D.C.,
Sat, 6-20-57

By Richard L. Lyons
Staff Reporter

The United States Court of Appeals in New Orleans has upheld a lower-court action dismissing the Government's suit charging voting discrimination against Negroes in Alabama's Macon County.

The Justice Department announced that the decision will be appealed to the Supreme Court. It was handed down Tuesday by a unanimous three-judge panel.

So far the Department is batting zero in its efforts to carry out the right-to-vote provisions of the 1957 Civil Rights Act. The only other suit filed under the Act was in Georgia, where a Federal district judge struck down as unconstitutional the key section empowering the Attorney General to seek court orders to protect voting rights denied because of race.

The Department has asked the Supreme Court to review that case also.

The Alabama decision narrowly construed the meaning of the Act and, if upheld, could seriously hamper enforcement. The Appeals Court ruled that the Act does not permit the Federal Government to sue a state, that the county registrars could and did resign, that the registration board without members is not a legal entity that could be sued, and that, therefore, there was no law suit because there was no one to sue.

This apparently means that when Federal investigators start checking complaints, Southern communities could ward off court action by having their voting registrars resign. This drastic action would prevent registration of anyone, but that is exactly what has happened several times in heavily Negro Macon County, where most white adults and few Negroes are registered.

The Macon County registrars resigned shortly before the suit was filed after tangling with the Civil Rights Commission over production of registration records.

The Justice Department contended in its independent suit that the registrars could not legally resign until their successors were chosen. But to be on the safe side, it included the State of Alabama and the registration board as codefendants.

The Department argued that the State was responsible for the actions of its agents and that the language empowering the Attorney General to bring a "proper proceeding" authorized suits against states.

The Appeals Court said the power to sue a sovereign state was a serious thing and should not be permitted unless clearly the intent of Congress. The Court said it could find nothing in the language or history of the Act to support the Government's contention. It also ruled there was no law to prevent the registrars from resigning.

34e 1959

ALABAMA

MACON COUNTY

STATE HIGHWAY DIRECTOR SAM ENGELHARDT WOULD LIKE TO SEE THE REMAINING 10 NEGROES IN TUSKEGEE GERRYMANDERED OUTSIDE THE CITY LIMITS . . . . . .

Engelhardt Asks Tuskegee Limits Be Redrawn

Montgomery

State Highway Director Sam Engelhardt said Monday he would like to see the remaining 10 Negroes in Tuskegee gerrymandered outside the city limits to "prevent any possible discrimination."

Engelhardt, chairman of the State Democratic Executive Committee and former executive secretary of the White Citizens Council, said he does not believe in discrimination. He said he does not want the 410 Negroes excluded from the city limits by the 1957 Legislature to show any discrimination against the "other eight or 10 Negroes" still inside the city.

He said he would "like for the senator and representative of the Tuskegee district to take a closer look at the western boundary and see if they can get those other Negroes out of the city."

Engelhardt, then Macon County senator, sponsored the bill two years ago which touched off a boycott by Negroes of white merchants.

Council Seeks Registrar Shake-Up

Negro Voting Cited

Journal

A resolution urging the replacement of present county boards of registrars has been adopted by the Montgomery County Citizens Council and presented to Gov. Patterson.

The Council's resolution cites the large bloc of Negro voters being registered in a number of counties as the basis for the request to name new registrars.

Montgomery Ala

"It is common knowledge that these registrars were appointed by the previous state administration," the resolution reads, "and are subject to replacement at the will of the present administration."

Jour 5-16-59

The Council contends that some, and perhaps a large number, of the incumbent registrars are facilitating the registration of Negroes for partisan political purposes, which are inimical to the best interests of the people of Alabama.

P-5 A

As an example, the resolution cites the registration of a large bloc of Negro voters in Jefferson County, where, it claims, a great number of citizens have become alarmed at what it portends for good government.

The resolution reads, "In addition to any strengthening of voting and registration laws which may be needed, and which may be done, it also is in the interests of good government that boards of registrars be completely qualified persons, be registered, and that voters be registered only on the basis of demonstrated qualifications, rather than on any basis of strengthening any partisan political bloc or force."

The Council says it is a very simple matter for the officials presently holding the constitutional offices charged with appointing registrars to replace incumbent registrars with others who will be more conscientious in preserving a high standard of voter qualifications.

The resolution calls on the state auditor and the agriculture commissioner to join forces with the governor in naming replacements for present registrars without further delay.

Ruling Sought In Macon Case

Montgomery Ala

Justice Dept. Seeks Reversal Of Johnson

Journal

The Justice Department will ask an appeals court Friday to set aside the ruling of a federal judge who threw the Macon County voter registration suit out of court.

Thurs 4-30-59

Arguments will be heard by the U. S. Fifth Circuit Court of Appeals at New Orleans.

P-1

Dist. Judge Frank M. Johnson Jr., dismissed the government's suit against two former Macon County registrars March 6. He said there was no one left to sue.

Johnson held that under the Federal Civil Rights Act, the action would have to be taken against individuals, and that since there is no functioning voter registration board in Macon County, no court order could be issued against anyone else.

E. P. Livingston and State Rep. Grady Rogers resigned from the board last December in the wake of the U. S. Civil Rights Commission's inquiry into Negro voting complaints.

Later, the Justice Department asked for an injunction against Livingston and Rogers or any other registration official who might hold office in that county. The suit charged systematic denial of Negro voting rights.

Federal attorneys argued that Livingston and Rogers couldn't legally resign. They insisted, too, that an injunction could be put into force against the board of registrars, with or without active members, and against the state government.

Johnson said it couldn't.

But unlike Dist. Judge T Hoyt Davis who later ruled at Macon, Ga., that the Civil Rights Act is unconstitutional, Johnson said it is valid.

Newly Appointed Registrar Decides Against Macon Job

Advertiser

TUSKEGEE — One of the newly appointed Macon County Board of Registrars members said Tuesday that he had decided against accepting an appointment to the board that has been without members since last December.

J. H. Sadler, Tuskegee service station operator, said he had decided not to accept the appointment because he couldn't "afford to take the time off from my business for the small amount of pay involved."

Montgomery Ala

He said he had not notified state officials of his decision against serving on the voter registering board.

Wed. 1-22-59

Sadler, John Sullivan, Tuskegee, and Howard Lynn, Notasulga, were appointed to the board last Thursday by Gov. Patterson, Agriculture Commissioner R. C. (Red) Bamberg and State Auditor Mary Texas Hurt Garner.

Their appointment was expected to fill a board that has not functioned since last December when the U.S. Civil Rights Commission began an investigation into the alleged denial of Negro voting rights in Macon and four other Alabama counties.

One member of the board died, and the other two resigned.

Sullivan said late Tuesday that he had been ill for several days and had not had time to consider the appointment. He said he did not know when he would be able to make a decision on the matter.

He said there has been no attempt at a meeting between the three appointees, as far as he knew, although a meeting was set by state law for Monday.

Lynn, who was designated as chairman of the board, has also gone undecided about accepting the appointment. He said he planned to take his time in accepting the appointment but promised that he would make the decision in "due time."

APPEALS RULING

Government To Reopen Macon Vote Case Today

Montgomery Ala

Advertiser

Fri. 5-1-59

NEW ORLEANS (AP) — The federal government goes back into court Friday, hoping to revive a suit aimed at forcing the registration of prospective Negro voters in Macon County, Ala.

U.S. Dist. Judge Frank M. Johnson Jr., at Montgomery threw the case out of court March 6. He ruled that the resignation of the last two remaining voter registrars in Macon County left no one to take action against.

The Justice Department, seeking an injunction to prevent registration officials from discriminating against Negroes who want to vote, is appealing Johnson's ruling to the U.S. Fifth Circuit Court of Appeals. Arguments will be heard here Friday.

Macon County has had no functioning voter registration board since E. P. Livingston and State Rep. Grady Rogers resigned last December in the wake of a Civil Rights Commission investigation. No new voters have been registered since then, white or Negro.

DISMISSED SUIT

Johnson dismissed the Justice Department suit on the grounds that the federal Civil Rights Act allows the government to seek an injunction only against individuals.

Since no one is serving on the Macon County board, he held in effect there is no one left to sue.

Federal attorneys argued first that Livingston and Rogers had no legal right under Alabama law to resign until their successors have been appointed.

But even if they did, the government contended an injunction could be put into force against the registration board itself. That would bind anyone who might later serve.

DECLINED TO RULE

Judge Johnson, however, declined to rule on the constitutionality of the act in his Macon County suit decision. His constitutionality ruling came earlier in a court test of Civil Rights Commission subpoenas which the state attacked by attacking the validity of the act creating the commission (and granting it subpoena powers.

Fri. 5-1-59

In upholding the subpoenas, Judge Johnson said that the Fifteenth Amendment to the U.S. Constitution gave the U.S. Congress the power to enact "appropriate legislation" to insure the civil rights of any citizen or group. He held that the Civil Rights Acts were "appropriate legislation" under the terms of the amendment.

In its complaint charging systematic denial of voting rights in Macon County for many years, the Justice Department accused registration officials of:

Using separate "and discriminatory" facilities for prospective white and Negro voters.

Refusal to function as a registration board. Macon County at times has gone 18 months without a board because of resignations.

Keeping irregular and unreasonable office hours and using "other evasive schemes" to keep Negroes from registering.

Using different standards in judging white and Negro applicants.

Negroes who testified during the Civil Rights Commission inquiry said, for example, they were required to copy Article 2 of the U.S. Constitution word for word.

The suit listed the names of 20 Negroes who said they had tried

in vain to register. Twelve of them are college graduates.

It said Macon County had 8,016 white voters last Dec. 1 out of 3,100 white residents of voting age, but only 1,110 Negroes out of an eligible 14,000.

Throughout the long controversy, state authorities have insisted there was no discrimination; that all prospective new voters were treated alike.

In City Election

Home News

Some 6,000 May Vote

Talladega Ala.

A poll list prepared for the municipal election of Sept. 21 indicates that approximately 6000 Talladegans are qualified to vote —paving the way for what could be an all-time high.

Actually on the list are 6213 names, 2100 female and 4113 male voters.

Sun. 8-30-59

But that doesn't take into account the fact that some of those listed may have died or moved and one of the 18 voting boxes—No. 5—lists the names of persons who live in the city limits and just outside.

34e

Those who live outside are not eligible, it was pointed out.

Here's the way the 6213 are listed by boxes.

Box 1—148 female and 333 male voters for a total of 481.

Box 2—196 female and 301 male voters for a total of 497.

Box 3—162 female and 425 male voters, total 587.

Box 4—109 female and 183 male voters, total 292.

Box 5—148 female and 402 male voters, total 550.

Box 6—125 female and 263 male 388 voters in all.

Box 7—180 females and 316 males for a total of 496.

Box 8—48 females and 186 male voters, totaling 234.

Box 9—164 female and 389 males, total 553.

Box 10—116 female and 125 male, total 241.

Box 11—106 female and 149 males, total 255.

Box 12—121 females and 145 males for a total of 266.

Box 13—75 female and 151 male voters, total 226.

Box 14—72 female and 91 males, total 163.

Box 15—65 female and 125 male voters, total 190.

Box 16—109 female and 194 male voters, total 303.

Box 17—81 female and 150 male voters, total 231.

Box 18—75 female and 185 male voters, total 260.

Tuesday will be the final day for qualifying as candidate for any of the three commission posts to be filled, Commission president and commissioners of finance and streets and parks.

Federals Amend Macon Vote Suit To Include State

Both Sides Await Word From Court

U.S. District Judge Frank M. Johnson Jr. declined to rule immediately on a state motion to dismiss a federal suit seeking registration of Negro voters in Macon County after a two-hour-long hearing Monday.

Following oral arguments in the U.S. District Court in Montgomery, the federal judge said he would reserve ruling on motions before the court for the time being.

ORDER EXTENDED

Three other motions, besides the one to dismiss the suit, were argued. These were:

1. A federal motion to have the defendants, Grady Rogers and E. P. Livingston, members of the last functioning Macon County Board of Registrars, and the board itself, produce voter registration records for inspection by federal attorneys;

2. A state motion to dissolve a temporary restraining order issued by Judge Johnson to prevent destruction of the desired records;

3. A state motion to quash service of the complaint in the case of the defendants.

Monday afternoon Judge Johnson extended the temporary restraining order, which expired Monday, until March 15.

Attorneys W. Wilson White and Joseph M. F. Ryan Jr. of the Dept. of Justice Civil Rights Division amended the government complaint in the suit to include the State of Alabama as a defendant also. The motion to produce was also amended to include the state, as was the temporary restraining order.

NO LONGER MEMBERS

Deputies from the U.S. Marshal's office here tried vainly to serve copies of the amended complain. on Gov. John Patterson as chief executive of the state Monday. They had not obtained service when the marshal's office closed Monday afternoon. Gov. Patterson must be served before any action can be taken in regard to the State of Alabama.

Atty. Gen. MacDonald Gallion, arguing the motion to dismiss for the defendants, contended that the Civil Rights Act of 1957 under which this suit was undertaken by the Justice Dept. allows such suits only against individuals and not against a state or an agency of the state. He argued that this meant action could only be instituted against Rogers and Livingston, acting under color of their state offices as registrars.

But, the attorney general continued, Rogers and Livingston are no longer members of the Macon County Board of Registrars because of their Dec. 10 resignations. He said the have no intention of continuing in office and hence are not about to continue in any discriminatory acts. Thus the suit is moot in regard to them, Gallion said.

Since Rogers and Livingston are not in office now, the attorney general claimed, service on them as the board of registrars is not valid.

Atty. Gen. Gallion read an affidavit from Livingston saying that after his resignation, he and Rogers turned the records of the board over to the sheriff of Macon County. He said he has accepted another office of profit under the state government which disqualifies him for service as a registrar. Gallion said Livingston was named last week as a member of the jury commission of Macon County.

ESSENTIALLY THE SAME

Gallion also had a similiar statement from Rogers, but he did not read it, stating that it said essentially the same thing. Rogers has also taken another office of profit, having been elected to the state legislature as a member of the House of Representatives last May.

The two men thus have no power, "legal or otherwise," to remove, destroy or mutilate the records in question, Gallion contended.

State Sen. L. K. (Snag) Andrews of Union Springs, representing Rogers and Livingston, told the court that the Givhan Bill, passed last week by the state legislature, does not require the destruction of refused voter registration applications, but, he said, it is a "permissive bill" which would allow the boards of registrars of the various counties to destroy them. This would mean a majority of the board must act before any records could be destroyed. Andrews argued, and there is no board in Macon County at the present time to decide to destroy records there and no way for them to be legally destroyed.

Ryan, arguing the motions for the government, said it is the federal government's contention that the board can be sued because it is a person under the meaning of the Civil Rights Act.

The government continued its assertion that under Alabama law a registrar must continue in office until his successor has been named and qualified. Hence, Rogers and Livingston are still members of the board, Ryan contended.

Ryan claimed that Alabama law makes no provision for registrars turning their records over to any one but their successors in office. He said the state law intends to have a continuity of preservation of records of the board in unbroken succession.

The section of the state constitution which prevents the holding of two public offices of profit is intended to prevent payment for two such offices, Ryan claimed. He said there is no penal provision in the state code for violation of that section.

There has been a "long, tedious chain of steps to vindicate the right to vote for all persons, regardless of color," Ryan said. The Fifteenth Amendment to the U.S. Constitution says no one can be denied that right by reason of color, he said. "Congress has implemented this by passing what this Court has held to be appropriate legislation," he claimed.

'CONTINUING OBLIGATION'

"This right cannot be denied by the purported resignation of registrars who have resigned before," Rayn said. "Ryan and Livingston have a continuing obligation of service" until their successors are named and qualifed, the federal attorney argued.

STATE ATTORNEYS LEAVE VOTE SUIT HEARING
Atty. Gen. MacDonald Gallion (Left), L. K. Andrews

U.S. AWAITS GREEN LIGHT

Vote Case In Macon Before Court Today

By REX THOMAS
Associated Press Writer

A federal judge may decide Monday whether the Justice Department can go on with its suit to stop the alleged denial of Negro voting rights in Macon County.

The government is asking for a court order to prohibit voter registration authorities from discriminating against Negroes because of their race. The pending suit claims that has been a prevailing practice in Macon County for many years.

REMAINING MEMBERS

But state's attorneys contend there is no functioning board of registrars in the county since the last two remaining members resigned last December and, consequently, no one to issue an injunction against. Hearing time is set for 10 a.m. at the Federal Building.

Federal attorneys insist the board members who resigned, E. P. Livingston and State Rep. Grady Rogers, cannot legally vacate their office until their successors have been appointed. So Livingston and Rogers were named defendants in the suit.

U.S. Dist. Court Judge Frank M. Johnson Jr., must decide whether they are still members of the board or, if they are not, whether the government can keep its suit in court with no specifically named defendants to prosecute.

CHIEF SPOKESMAN

The Justice Department filed its complaint under the federal Civil Rights Act. Atty. Gen. MacDonald Gallion, the state's chief spokesman, says the law itself allows the government to proceed only against individual defendants.

No hearing has been set on the Justice Department complaint, but the same issues will come up Monday on a government motion to prohibit Macon County authorities from disposing of old voter registration records. The government says it needs them for evidence.

A newly enacted state law gives registrars in every county the right to dispose of questionnaires filled out by prospective voters who, for one reason or another, were turned down. The questionnaire, uniform throughout the state, is used to measure an applicant's fitness to vote.

RECENT INQUIRY

The new law was designed to keep government agents from getting access to the records as they did during the recent Civil Rights Commission inquiry in Alabama.

Federal attorneys asked Johnson to stop Macon County officials from disposing of the records there, explaining it would be difficult to prosecute the discrimination suit without them.

As they did in the suit itself, the government lawyers contend Livingston and Rogers still have legal custody of the records and can be ordered to preserve them. The state says they cannot; that no one can be told what to do with the questionnaires until a new board is appointed. There is no indication when the state appointing board will name one.

If Johnson agrees with the state's argument about preserving the records, he will set a precedent for a similar ruling on Gallion's motion to throw out the suit itself.

State Files Answer In Macon Vote Suit

State attorneys for the Macon County Board of Registrars and its two functioning members have filed an answer calling a federal suit which seeks to force registration of Negro voters in the county in reality a suit against the State of Alabama.

The answer was filed Friday in the U.S. District Court here by Atty. Gen. MacDonald Gallion, Special Asst. Atty. Gen. Nicholas S. Hare and Union Springs attorney and state senator, L. K. (Snag) Andrews, acting as lawyer for Grady Rogers and E. P. Livingston.

Also filed were a motion to strike and to quash service of the complaint in the case upon Rogers and Livingston as members of the Macon Board of Registrars, an answer or objection to the government's motion to produce which seeks to have Macon County voting registration records made available for inspection by federal attorneys, and a motion to dissolve the temporary restraining order which Judge Frank M. Johnson Jr. issued to prevent any destruction or mutilation of the desired records.

All four documents stressed the fact that Rogers and Livingston have resigned as members of the Macon County Board of Registrars. The complaint in the suit claimed that under applicable state law they must continue to serve until their successors have been appointed and qualified. Included as exhibits with the four state answers and motions are affidavits from Rogers and Livingston stating that since their resignation on Dec. 10 they have had no official connection with the board and have no access to or control over the records of the board. They say they turned the records over to Macon County Sheriff Preston Hornsby "for safekeeping and-or transmission by him to the Probate Judge or the Circuit Solicitor or such other official charged by law to act as custodian of or to preserve such records."

The answer to the complaint claims that the federal court is without jurisdiction to grant to the government the relief asked for in the complaint, either against the board, against Rogers or Livingston in their capacity as members of the board, or against the State of Alabama, for the answer claims the board is "in law and in fact the State of Alabama."

According to the terms of the Civil Rights Act of 1957 under which this action was undertaken, the answer claims, any such action "must be against individual persons who, under color of their respective state office, subject some person to denial of Federal Constitutional rights." The acts do not authorize any action against the board of registrars of Macon County or against the State of Alabama, the answer charges.

"This suit undertakes to control the State of Alabama and its officers, and is in effect an action against the state and forbidden by the Eleventh Amendment to the Federal Constitution," the answer states.

The answer claims that it does not appear from the complaint that there are any "reasonable grounds" to believe that any person, especially Rogers or Livingston, is about to engage in any act or practice which would deprive any person of any right or privilege relative to voting.

The motion to strike and to quash deals in large part with the technical aspects of service of copies of the complaint and subsequent government motions in this action. It claims that no service or attempted service was made on the board in regard to the complaint. Later motions and orders were served on Livingston for the board, the motion, states, but it claims that these are invalid in view of Livingston's resignation.

"No service can be made upon movants (Rogers and Livingston) which could give this court jurisdiction over the State of Alabama or any department or units thereof," the motion claims, or over the Macon County Board of Registrars. The board is not subject to suit as an agency of the state, and it has no officers or agents upon which service can be made, according to the motion. The state is an "indispensable party" in this suit, and any action under the Civil Rights Acts must be against individuals, the motion claims.

The answer to the motion to produce repeats that Livingston and Rogers are not members of the board and have no access to or custody over the desired records. It also charges that the government has already had access to the desired records and has photographed "such of them as is material to their action."

The motion to dissolve the temporary restraining order again repeats the same arguments in regard to Rogers and Livingston and says they have no intention of mutilating, damaging, removing or otherwise rendering the records unavailable to the court. "This injunction was sought only for embarassment, publicity or other improper reasons," the motion charges.

Judge Johnson has scheduled a hearing on the motion to produce for Monday. The answer to the motion to produce and the motion to dissolve the temporary restraining order will also be considered at that time. It is likely that the motion to dismiss and the motion to strike and to quash will also be considered then.

U.S. Atty. Hartwell Davis has served notice on the court that the government intends to take oral testimony at the Monday hearing.

Registrars, Negroes Shun Enrollment for Voting in Alabama

Organizer
Philadelphia, Pa.
Star 7-21-59
P 14

TUSKEGEE, Ala., July 20 (AP).—None of the three newly appointed members of the Macon county voter registration board showed up Monday on the first registration day since their appointment.

Neither was there a crowd of Negroes waiting to register as there has been in the past after the county had gone a long time with no functioning machinery for voter registration.

One Negro leader, Secretary William P. Mitchell, of the Tuskegee Civic Association, went to the courthouse office normally used for registration but left immediately and could not be reached for comment.

2 RESIGN IN PROBE

It was the first registration day since last December that the county has had an appointed board of registrars. One member of the old board died and the remaining two resigned after the Federal Civic Rights Commission started an investigation of complaints that Negroes were denied the right to vote.

Howard Lynn, of nearby Notasulga Route 1, newly designated chairman of the three-man board, told a reporter by telephone from his home that he was not "ready to make any kind of a statement."

He and the other two appointees, J. H. Sadler and John Sullivan of Tuskegee, said they haven't decided whether to accept the appointments, which were announced last Thursday by Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg.

INVESTIGATE 6 COUNTIES

Macon county, where Negroes outnumber white residents nearly 6 to 1, was one of six Alabama counties where Civil Rights Commission agents checked into Negro voting complaints.

Later, the Justice Department filed a suit in U. S. District Court at Montgomery charging Macon county officials with systematically refusing to register Negroes and asking for an injunction to stop it.

But Judge Frank M. Johnson, Jr., threw the suit out of court on the grounds that no registrars were serving in the county and that the Civil Rights Act of 1957 allowed the Government to take action only against individuals.

Jackie Lures 3,000 To Tuskegee Parley

Courier Pittsburgh Pa.
Sat. 7-4-59
P 10

TUSKEGEE INSTITUTE, Ala.—Jackie Robinson of New York City told approximately 3,000 persons who filled two churches and flowed over into the parking areas during the second anniversary celebration of the Tuskegee Civic Association's Crusade for Citizenship, that "Because of what you are doing here, you see things happening in other places."

Robinson

The meeting Tuesday night, June 23, was the 102nd in a series of weekly meetings sponsored by the Tuskegee Civic Association, which grew out of a protest by Negro citizens who were gerrymandered out of the city limits in June 1957.

Mr. Robinson, who spoke at the Greenwood Missionary Baptist Church and who had an audience at the Washington Chapel AME Church, spoke briefly earlier to the patients at the Veterans Administration Hospital and the Little Leaguers on the Tuskegee Institute High School recreation grounds.

Mr. Robinson said to the Tuesday night audience, that began gathering at 5 o'clock in the afternoon, "We are only asking for what is rightfully ours under the Constitution. If America survives, we are going to get our opportunities." Criticizing certain Negroes in high places, the speaker said, "Nothing angers me more than to see a Negro sit back and say 'I got mine—now you get yours.'"

Mr. Robinson congratulated the members of the Tuskegee Civic Association and assured them that "your friends in New York are tremendously proud of what you are doing." He concluded by repeating, "Our doctors, our lawyers, our businessmen owe it to our fellowmen to get into this fight—we must join in."

Rev. K. L. Buford, acting president of the Tuskegee Civic Association, presided. Frank J. Toland, first vice president, gave the occasion.

Registration Board Refuses To Serve

Daily Home
Talladega, Ala
Star, 7-23-59
P 1

MONTGOMERY (AP) — Gov. John Patterson said today all three newly appointed members of the Macon County Voter Registration Board have declined to serve.

Thus the county where Negroes outnumber white residents nearly 6-1 is still without a functioning board to register new voters, white or Negro.

No board has held office there since last December when the two remaining registrars resigned in the face of an investigation by the U. S. Civil Rights Commission.

Patterson made public copies of letters from the three board members appointed last week—Chairman Howard Lynn of near Notasulga and J. H. Sadler and John Sullivan of Tuskegee.

All three said they declined to serve because of pressure for Negro registration in the county and because of federal intervention.

The governor issued a prepared statement saying he and the other two members of the State Appointing Board — State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg — "have tried and are trying to find competent citizens" to serve on the board.

But, he added, "our job is difficult because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission.

"It is hard to ask a man to subject himself to such treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

New Ala. Vote Unit Quits

Defender
Sat. 8-1-59
Chicago, Ill.
P 2

MONTGOMERY, Ala. — (UPI) —Members of a new Macon County, Alabama Board of Registrars at Tuskagee have refused to serve for fear of being "hounded" by the U. S. Civil Rights Commission, Gov. John Patterson disclosed.

Patterson ended several days of speculation about the status of the new three-man Macon Board. He said each man he had chosen declined the appointment and added that finding people to serve is difficult.

The governor said he and his appointment board are seeking to name a "fair-minded" board of "competent citizens."

"Our job is difficult because of the unwarranted harassment by the Federal Government and part of the Civil Rights Commission. It is hard to ask a man to subject himself to such treatment as the previous Board of Registrar experienced in the past at the hands of the federal government" Patterson said.

There has been no Board of Registrars functioning in Macon County since last December.

Members of the former board resigned when the Civil Rights Commission sent investigators into the predominantly Negro county and scheduled hearings on complaints that Negroes were discriminated against and denied voting rights.

The new board was appointed by Patterson following petitions by the Tuskegee Civic Assn., a Negro group, to congress to create a Federal commission to register voters in counties which have no local boards.

The new board was to have met Monday but failed to do so. Newsmen then learned that the chairman had not called a meeting and

Alabamians Refuse Vote Board Jobs

Times-Union

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The new board was to have met Monday, but failed to do so. Newsmen then learned that the chairman had not called a meeting and that the members had not been sworn in. It had been expected that large numbers of Negroes would seek to register for voting.

Individual board members brusquely refused comment on the situation. Patterson disclosed today he had received letters from each turning down the appointment.

Three Decline Registrar Posts In Ala. County

News & Courier

MONTGOMERY, Ala. (AP)— A seven-month breakdown of voter registration machinery continued in heavily Negro populated Macon county Thursday after three newly appointed white registrars declined to serve.

Gov. John Patterson released copies of letters from Howard Lynn of near Notasulga, J. H. Sadler and John Sullivan of Tuskeegee. They gave as reasons for declining to serve the pressure for Negro registration and federal intervention.

Voter registration has suffered several breakdowns under pressure of Negroes seeking to become qualified voters. There are nearly six Negroes to every white in Macon county. Whites have a 2 to 1 voting edge, however.

18-MONTH LAPSE

Once the county went 18 months without a board of registrars after William P. Mitchell filed a $5,000 damage suit in 1954 against two former members, charging they refused to register him because of his race.

Mitchell's suit was later dismissed in U.S. District Court here, the judge ruling he had not proved discrimination.

The county has had no board of registrars since last December after one member died and the other two resigned after the U.S. Civil Rights Commission opened an investigation into Negro voting complaints in six Alabama counties, including Macon.

BOARD — ACTIVE

The governor, a member of the state board which appoints registrars, said he and the other two members — State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg "have tried and are trying to find competent citizens" to serve on the board.

"Our job is difficult," Patterson added in a prepared statement, "because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission.

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Ex-Registrar Is Served With Papers In Capitol

BY CLARKE STALLWORTH
Post-Herald Staff Writer

MONTGOMERY, Feb. 6—The action of a Federal marshal in serving injunction papers against a state legislator in the state Capitol was an "outrage," according to Gov. John Patterson.

Rep. Grady Rogers of Tuskegee, former Macon County registrar, was served with a U. S. suit asking for an injunction to stop alleged racial discrimination in registering Negro voters in Macon County.

Meanwhile, Atty. Gen. Mac-Donald Gallion promised a "full defense" of the registrars and sent two of his assistants to Tuskegee to check the suit thoroughly.

"It is an absolute outrage that a member of the state Legislature was subjected to service of a Federal process in the state Capitol while in attendance at the Legislature and while the Legislature was in actual session," said Patterson.

"The Federal suit . . . is another example of the reprehensible and irresponsible attitude the present administration in Washington is making toward states and state officials," said the governor.

The suit, filed before U. S. District Judge Frank Johnson by the Justice Dept., said Negroes had been denied voting rights in Macon County "for many years." The suit asked for a permanent injunction to force the Macon oCunty oBard of Registrars to register Negroes to vote without discrimination.

The suit was filed against the Macon oCunty oBard of Registrars, plus Grady Rogers and E. P. Livingston. Rogers and Livingston resigned from the board several months ago.

The Federal suit maintained that Rogers and Livingston still are members of the board of registrars until their successors are named and installed. So far, no new registrars have been appointed for Macon County.

Listed in the suit were the names of 20 Negroes—most of them high school graduates and some of them with college degrees — who, it was charged, had not been registered.

The suit asked for an injunction to stop the Macon County registrars from:

1. Maintaining separate offices for Negro and white applicants.

2. Failing and refusing, on grounds of race or color, to convene and function as a board of registrars.

3. Using different facilities and procedures for registering Negro applicants from those used for white applicants.

4. Failing or refusing, for reasons of race or color, to register the persons listed (the 20 Negroes) and others similarly situated.

5. Applying different and more stringent standards and rules to Negro applicants for registration than to white applicants.

6. Engaging in any other acts . . . which discriminate or tend to discriminate against any applicant for registration for voting in Macon County . . . on account of his race or color.

Several Negroes testified before the U. S. Civil Rights Commission hearing in Montgomery recently that they were forced to write in longhand lengthy portions of the U. S. Constitution.

The Alabama suit is the second voting rights suit filed in the South by the Justice Dept.'s Civil Rights Division. The first suit charged Terrell County, Ga., registrars with refusal to register "fully qualified" Negroes. Trial in this case is pending.

The Alabama suit charged that Macon County has 3016 white voters out of a total of 3100 white people of voting age, which is about 97 per cent. The suit also charged that only 1110 Negro voters—out of a total of 1400 Negroes of voting age—were registered. This is a total of only 8 per cent, it said.

"The disparity between the respective percentages of white and Negro citizens of voting age," the suit said, "has been brought about and is being perpetuated by racially-discriminatory acts and practices of the defendants (the registrars)."

Rogers was sitting in the House chamber at the Capitol when the paper was served on him. He went across to the Senate chamber to confer with Senator Andrews, who had represented the Macon County board in past cases.

Macon County is the home of Tuskegee Institute, a Negro institution. The 1957 Legislature under a bill sponsored by former Sen. Sam Englehardt, set up machinery to abolish the county in an effort to retain white supremacy, but the move failed when surrounding counties could not agree on how to absorb it.

The action today raised a storm of comment from state officials. In his statement, Governor Patterson said:

"The Federal Government, in serving papers on Rep. Rogers, violated not only the sovereignty of Alabama, but the rules of common decency as well. I personally resent the government's action.

"As a matter of fact, the Federal Government is completely off base in contending that Rep. Rogers is still a member of the board of registrars in Macon County. The very moment that Rep. Rogers was sworn in as a member of the Legislature he was prohibited by law from serving on the board of registrars.

"It is the law in Alabama that no public official can hold two offices of profit at the same time."

Tom Young, Macon County solicitor said, "I have checked the complaint thoroughly—which was filed by the NAACP through the Justice Dept.—and it has the audacity to enjoin the registrars from resigning."

Mr. Livingstton said he was "surprised when they served the papers on me. I thought this was all over with. Bue we'll fight it."

While the suit was being served on Rogers, an Alabama Senate committee was reporting out a bill sponsored by Sen. Walter Givhan of Safford which would allow Alabama registrars to destroy registration records.

Givhan amended his bill — which first said the registrars must destroy their records — to read that they could destroy them.

Givhan's bill only applies to the records accumulated at the time the bill is passed by the Legislature. It does not apply to registration records in the future, he said.

Andrews had said he would introduce segregation legislation at today's session, but he changed his mind and said there was not enough time in the special session to pass his measures.

He said he would introduce his bills into the regular session, beginning in May.

Andrews said he planned to introduce legislation at that time to change the voting questionnaire more frequently, and another bill to set up a system of machine-graded voting tests.

Andrews said all applications for voter registration would be required to fill out a coded card which would be processed by an electronic machine. The machine would reject or accept applicants, he said.

"Then let the Federal Government sue the machines," he said.

OUTRAGE — Gov. John Patterson.

ACTION VOWED IN VOTING CASE

Alabama Official Pledges 'Vigorous Defense'

By DONALD F. MARTIN

MONTGOMERY, Ala. (UPI) — Alabama Atty. Gen. Mac Donald Gallion pledged a "vigorous defense" Sunday against a justice department suit accusing the Macon county board of registrars with denying qualified Negroes the right to vote.

Meantime, a former Alabama circuit judge who flagrantly rebelled against the civil rights commission denounced the federal agency for using electronic recorders in its investigation of alleged violations of Negro voting rights.

The federal suit, filed in United States middle district court here Friday, seeks a permanent injunction to halt the alleged denial of registration solely because of "race and color." The suit names two resigned members of the board—Grady Rogers and E. P. Livingston—and any future board members as defendants.

Gallion, prepping his first states rights defense since taking office last month, said some of the charges "were under investigation by my office at the very same time we were served with a copy of the complaint."

ACTIONS DEFENDED

The young attorney general contended, "The preliminary investigation indicates that the former members of the board of registrars of Macon county acted in each case well within the registration laws of this state applying to all of its citizens without regard to color."

Gallion described the suit as "merely another example of the high-handed disregard being shown by federal authorities for the sovereign rights of the individual states."

He said some of the charges listed in the suit "appear too ridiculous to warrant comment."

"As attorney general the full forces of my office will be available for a vigorous defense of this matter and all other matters under similar attack wherever the facts show that our laws were adhered to in the registration process," he pledged.

And, he said, "while this office expects to resist firmly such arrogant invasion of our rights, we hope that federal authority will allow us to do so with the dignity the occasion demands and that an NAACP-inspired carnival show for the northern consumption will not be the result."

AGENTS ACCUSED

The attorney general referred to the mass media of television and news cameras, radio, newspaper and magazine reporters which crowded the hearings of the civil rights commission here Dec. 8-9.

Former circuit Judge George Wallace accused agents of the commission with using "bugging" devices in their investigations.

Wallace said he forced Col. A. H. Rosenfeld, chief investigator for the commission, to admit he had an electronic recorder on his person when he sought registration records in Barbour and Bullock counties.

"I have no proof to the contrary," said Wallace, "but I am of the opinion they were sent into Alabama with a purpose of illegally recording any proceeding or conversation they desired . . . which is the 1959 Washington style."

Suit Asks Injunction

U.S. Files Civil Rights Action in Alabama

MONTGOMERY, Ala. — (UPI) — The Justice Department filed suit in Federal Court here Friday charging the Macon County Board of Registrars with violation of Negro voting rights.

The suit sought a permanent injunction against the board to banish alleged discrimination in the registration process.

The Justice Department made it clear the suit had nothing to do with the federal Civil Rights Commission, which recently completed an investigation of alleged violation of Negro voting rights in three central Alabama counties, including Macon.

The suit also tests, for the first time, the use of segregated facilities in the registration process.

Negroes outnumber whites 7-1 in Macon County, home of famed Tuskegee Institute and located in the heart of the cotton-growing black belt which stretches across the center of the state.

The 1957 Legislature attempted to abolish the county in an effort to maintain white supremacy but failed when counties surrounding the Negro-dominated territory could not agree on how to absorb it.

Defendants in the suit are resigned Registrars Grady Rogers and E. P. Livingston. Both men refused to testify before the Civil Rights Commission hearing here Dec. 8-9.

The department said the men were named as defendants because, under the law, they are required to serve as registration officials until their successors are appointed.

This is the second voting right suit filed by the department's new civil rights division created last year. The first suit charged Terrell County, Ga., registrars with refusal to register "fully qualified" Negroes, four of whom were school teachers. Trial is pending at Columbus, Ga.

Friday's suit complained that in Macon white voters registered to vote number 3,016 out of about 3,100 or approximately 97 per cent. The suit says only 1,110 Negroes out of approximately 14,000, or eight per cent, are registered.

"The disparity between the respective percentages of white and Negro citizens of voting age," the suit contended, "has been brought about and is being perpetuated by racially-discriminatory acts and practices of the defendants."

The suit charged the registrars utilized "different and more stringent standards" for Negroes than for white applicants.

340 1959

ALABAMA

TUSKEGEE BOUNDARY LAW IS APPEALED

Tuskegee Boundary Law Is Appealed

NEW ORLEANS (AP) — The U.S. Fifth Circuit Court of Appeals has under advisement a case contesting the boundaries of the city of Tuskegee.

Federal District Judge Frank Johnson upheld the law. A group of Negroes filed the appeal of his ruling. The Negroes had lived in the city limits of Tuskegee before the 1957 Albaama Legislature changed the city's boundaries.

Their suit argues that the change in city boundaries deprives several thousand Negroes of the right to vote and is merely another device in a continuing attempt by the state of Alabama to disenfranchise Negro citizens.

Tuskegee, the suit said, was square-shaped until the 1957 law eliminated the Negro neighborhoods, including the site of Tuskegee Institute No white persons were affected, the appeal said.

34e 1959

ALABAMA

VOTER REGISTRARS SUIT DISMISSED
AGAINST-FORMER REGISTRAR- E.P. LIVINGSTON
GRADY ROGERS

Suit Dismissed Against Former Registrars Here

Dismissal of the voter registration suit against former Macon County Registrars E. P. Livingston and Grady Rogers was upheld Tuesday by the U. S. Fifth Court of Appeals at New Orleans.

The Appeal Court agreed with an eariler decision by District Judge Frank M. Johnson at Montgomery that the Justice Department could not sue two Macon County registrars who had already quit.

The Justice Department also named the state of Alabama and the registration board as parties to the suit. But Johnson ruled the civil rights act permits suit against individuals only.

Therefore, the Montgomery judge said neither the state nor the registration board were suable, and the Appeals Court Tuesday affirmed the ruling.

Informed of the Court of Appeals decision Tuesday night, Atty. Gen. McDonald Gallion hailed it as "a tremendous victory in upholding the rights of the sovereign states."

"It's wonderful news," he said. "I'm gratified to learn of the decision, and I'm highly pleased that we won. I'm confident that if it goes to the Supreme Court, we'll win it there."

34e 1959

ALABAMA

MACON COUNTY

JUSTICE DEPARTMENT WINS A REVIEW OF VOTE RIGHTS TRY

Birmingham World

Birmingham, Ala.

WASHINGTON — The Supreme Court agreed Nov. 16 to a justice department request for a review of lower court decisions against the government's attempts to enforce the voting rights of Negroes in Macon County, Ala.

The case will be argued at a later date, as will a similar one concerning voting rights of Negroes in Georgia. Both arguments will be heard on the same day. The two cases involve interpretations of the 1957 Civil Rights Act.

In another case, the court denied a hearing to eight Negro teachers who claim they were dismissed because of their color. They were not hired when the Negro school was closed and colored pupils were integrated into the white school.

The court also accepted a justice department appeal from a ruling in lower court that the Civil Rights Act does not give the federal government the authority to sue Alabama or any other state to enforce Negro voting rights.

In other cases, the Supreme Court refused to interfere with lower courts rulings upholding the anti - corruption program of the union's three - man board of monitors; directed the Supreme Court of California to send to it certain portions of the trial records of Carly Chessman, pending a decision on whether it will review his nine-year penalty;

Refused to consider the claim of the eight men convicted in the daring Brink's robbery in Boston in 1950 that they were subjected to "trial by the press' 'in violation of their constitutional rights; ruled that the government can impose only one penalty upon a taxpayer who fails to declare his estimated income, and set Dec. 7 for the arguments in the long dispute over the use of the Tuscarora Indian land in New York for the $700,000,000 Niagara power project.

New Ala Vote Unit Quits

MONTGOMERY, Ala. — (UPI) —Members of a new Macon County, Alabama Board of Registrars at Tuskagee have refused to serve for fear of being "hounded" by the U. S. Civil Rights Commission, Gov. John Patterson disclosed.

Patterson ended several days of speculation about the status of the new three-man Macon Board. He said each man he had chosen declined the appointment and added that finding people to serve is difficult.

The governor said he and his appointment board are seeking to name a "fair-minded" board of "competent citizens."

"Our job is difficult because of the unwarranted harassment by the Federal Government and part of the Civil Rights Commission. It is hard to ask a man to subject himself to such treatment as the previous Board of Registrar experienced in the past at the hands of the federal government" Patterson said.

There has been no Board of Registrars functioning in Macon County since last December.

Members of the former board resigned when the Civil Rights Commission sent investigators into the predominantly Negro county and scheduled hearings on complaints that Negroes were discriminated against and denied voting rights.

The new board was appointed by Patterson following petitions by the Tuskegee Civic Assn., a Negro group, to congress to create a Federal commission to register voters in counties which have no local boards.

The new board was to have met Monday but failed to do so. Newsmen then learned that the chairman had not called a meeting and that the members had not been sworn in. It had been expected that large numbers of Negroes would seek to register for voting.

Individual board members brusquely refused comment on the situation. Patterson disclosed he had received letters from each turning down the appointmen

VOTER REGISTER BOARD IS NAMED

Alabama County Offices Vacant Since Dec. 10

MONTGOMERY, Ala. (AP)—A new voter registration board was appointed for Macon county, which has had none since the civil rights commission began an investigation last December. All three new board members are white.

The two remaining members of the old board resigned last Dec. 10 after federal agents started looking into Negro voting complaints in Macon and five other South Alabama counties.

The third board member had died a short time before.

Appointment of a new board was announced by the three state officials charged by law with the selection of registration officials —Gov. John Patterson, state auditor Mary Texas Hurt Garner and agriculture commissioner R. C. Bamberg.

Named to the board for the remainder of the terms expiring Sept. 28 this year were:

Howard Lynn of Notasulga, designated as chairman to succeed E. P. Livingston who resigned.

J. H. Sadler of Tuskegee, succeeding state Rep. Grady Rogers, who also resigned.

John Sullivan of Tuskegee, replacing the late Jesse Zachary of Notasulga.

The announcement came shortly after a Negro organization, the Tuskegee Civil Assn., disclosed it had asked federal officials to create a federal voter registration agency because of the absence of a state board.

No one, white or Negro, has been able to register as a voter in the county since December.

The civil rights commission undertook its investigation in Macon and the five other counties after Negroes complained that they were denied registration because of their race.

OTHER 2 UNDECIDED

Macon Registrar Declines Position

TUSKEGEE, Ala. (AP)—Hopes of being able to register as voters grew dimmer for Macon County Negroes today as one of three newly appointed registrars declined to serve.

The other two members are still undecided. The board has been non-existent since last December's investigation by the civil rights commission.

J. H. Sadler of Tuskegee said he had decided against accepting the appointment because the small amount of pay involved wouldn't allow him to stay away from his service station on the first and third Mondays of each month that the board meets.

Sadler, who said he hadn't yet notified state officials, was named to the board last Thursday along with John Sullivan of Tuskegee and Howard Lynn of Notasulga. They remained undecided, but the board could operate with two members.

None showed up Monday for one of two monthly registration sessions, and an undetermined number of Negroes left the courthouse without registering.

Macon County registration machinery broke down last December when the civil rights commission investigated the alleged denial of Negro voting rights. One registrar had died and the other two quit.

The inquiry resulted in a Justice Department suit, later dismissed, seeking a federal court injunction to prohibit discrimination against qualified Negro applicants.

William P. Mitchell, secretary of the Tuskegee Civil Assn. has said the pro-Negro voting group will ask state officials to appoint a new board if the present one doesn't materialize.

Gov. John Patterson, Agriculture Commissioner R. C. Bamberg and State Auditor Mary Texas Hurt Garner compose the board responsible for selecting voter registrars.

Tuskegee Voter Bar Continues

MONTGOMERY, Ala. (AP)— A seven-month breakdown of voter registration machinery continued in heavily Negro populated Macon County Thursday after three newly appointed white registrars declined to serve.

Gov. John Patterson released copies of letters from Howard Lynn of near Notasulga, J. H. Sadler and John Sullivan of Tuskegee. They gave as reasons for declining to serve the pressure for Negro registration and federal intervention.

Voter registration has suffered several breakdowns under pressure of Negroes seeking to become qualified voters. There are nearly six Negroes to every white in Macon County. Whites have a 2 to 1 voting edge, however.

BOARD LACKING

Once the county went 18 months without a board of registrars after William P. Mitchell filed a $5,000 damage suit in 1954 against two former members, charging they refused to register him because of his race.

Mitchell's suit was later dismissed in U.S. District Court here, the judge ruling he had not proved discrimination.

The county has had no board of registrars since last December after one member died and the other two resigned after the U.S. Civil Rights Commission opened an investigation into Negro voting complaints in six Alabama counties, including Macon.

GOVERNOR TRYING

The governor, a member of the state board which appoints registrars, said he and the other two members — State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg "have tried and are trying to find competent citizens" to serve on the board.

"Our job is difficult," Patterson added in a prepared statement, "because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission.

"It is hard to ask a man to subject himself to such treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

After the commission launched its investigation, E. P. Livingston, the chairman, and State Rep. Grady Rogers resigned from the Macon board Dec. 10. The third member, Jesse Zachary, had died shortly before.

Registration Board Refuses To Serve

MONTGOMERY (AP) — Gov. John Patterson said today all three newly appointed members of the Macon County Voter Registration Board have declined to serve.

Thus the county where Negroes outnumber white residents nearly 6-1 is still without a functioning board to register new voters, white or Negro.

No board has held office there since last December when the two remaining registrars resigned in the face of an investigation by the U. S. Civil Rights Commission.

Patterson made public copies of letters from the three board members appointed last week—Chairman Howard Lynn of near Notasulga and J. H. Sadler and John Sullivan of Tuskegee.

All three said they declined to serve because of pressure for Negro registration in the county and because of federal intervention.

The governor issued a prepared statement saying he and the other two members of the State Appointing Board — State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg — "have tried and are trying to find competent citizens" to serve on the board.

But, he added, "our job is difficult because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission.

"It is hard to ask a man to subject himself to such treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

Jackie Lures 3,000 To Tuskegee Parley

TUSKEGEE INSTITUTE, Ala. —Jackie Robinson of New York City told approximately 3,000 persons who filled two churches and flowed over into the parking areas during the second anniversary celebration of the Tuskegee Civic Association's Crusade for Citizenship, that "Because of what you are doing here, you see things happening in other places."

Robinson

The meeting Tuesday night, June 23, was the 102nd in a series of weekly meetings sponsored by the Tuskegee Civic Association, which grew out of a protest by Negro citizens who were gerrymandered out of the city limits in June 1957.

Mr. Robinson, who spoke at the Greenwood Missionary Baptist Church and who had an audience at the Washington Chapel AME Church, spoke briefly earlier to the patients at the Veterans Administration Hospital and the Little Leaguers on the Tuskegee Institute High School recreation grounds.

Mr. Robinson said to the Tuesday night audience, that began gathering at 5 o'clock in the afternoon, "We are only asking for what is rightfully ours under the Constitution. If America survives, we are going to get our opportunities." Criticizing certain Negroes in high places, the speaker said, "Nothing angers me more than to see a Negro sit back and say 'I got mine—now you get yours.'"

Mr. Robinson congratulated the members of the Tuskegee Civic Association and assured them that "your friends in New York are tremendously proud of what you are doing." He concluded by repeating, "Our doctors, our lawyers, our businessmen owe it to our fellowmen to get into this fight—we must join in."

Rev. K. L. Buford, acting president of the Tuskegee Civic Association, presided. Frank J. Toland, first vice president, gave the occasion.

Rights Commission Releases Ala. Vote Rights Transcript

WASHINGTON — The Commission on Civil Rights July 30 released the transcript of its hearings into voting rights here last December and January in Montgomery, Ala. The transcript includes testimony taken in executive session as provided by the law creating the Commission and released now for the first time.

Gordon M. Tiffany, staff director of the Commission, stated that the testimony shows "a consistent pattern of denial of equal protection of the laws as regards voting in six Alabama counties." The counties to which he referred were Macon, Barbour, Bullock, Dallas, Lowndes and Wilcox.

In the executive session, held on January 9, 1959, the Commission heard testimony from four members of its staff who had examined voting records in the counties involved. The staff members testified that a double standard was used by some Alabama registrar when considering white and Negro applicants for voter registration.

They testified that Negroes were required to copy lengthy articles of the United States Constitution and were often disqualified for minor mistakes that did not generally disqualify white applicants. They also testified that there was little uniformity in application of the registration laws and that some registrars were not familiar with the laws they were responsible for administering.

The material released today is the first published material released by the Commission, which will publish its report to the President and Congress by September 9. The transcript of the cation, held in Nashville, Tenn., last March, will be released next week. The transcripts of several housing conferences will be released about the first of September. Commission's Conference on Eduber.

Macon Vote Case In Appeal Today

NEW ORLEANS, April 30 (AP) — The Federal government goes back into court tomorrow, hoping to revive a suit aimed at forcing the registration of prospective Negro voters in Macon County, Ala.

Frank M. Johnson Jr., U. S. Dist. Judge, at Montgomery threw the case out of court March 6. He ruled that the resignation of the last two remainipg voter registrars in Macon County left no one to take action against.

The Justice Dept., seeking an injunction to prevent registration officials from discriminating against Negroes who want to vote, is appealing Johnson's ruling to the U. S. Fifth Circuit Court of Appeals. Arguments will be heard here tomorrow.

Macon County has had no functioning voter registration board since E. P. Livingston and State Rep. Grady Rogers resigned last December in the wake of a Civil Rights Commission investigation. No new voters have been registered since then, white or Negro.

Johnson dismissed the Justice Dept. suit on the grounds that the Federal Civil Rights Act allows the government to seek and injunction only against individuals.

Since no one is serving on the Macon County Board, he held in effect there is no one left to sue.

Federal attorneys argued first that Livingston and Rogers had no legal right under Alabama law to resign until their successors have been appointed.

But even if they did, the government contended an injunction could be put into force against the registration board itself. That would bind anyone who might later serve.

MACON COUNTY BOARD OF REGISTRARS NAMED

Will Be First Since Voter Probe Started

Post-Herald

Appointments Made After Negro Group Asked U. S. Action

MONTGOMERY, July 16 (AP)—A new voter registration board was appointed today for Macon County which has had none since the civil rights commission began an investigation last December.

The two remaining board members resigned last Dec. 10 after Federal agents started looking into Negro voting complaints in Macon and five other South Alabama counties.

The third board member had died a short time before.

Appointment of a new board was announced by the three state officials charged by law with the selection of registration officials—Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. (Red) Bamberg.

Named to the board for the remainder of the terms expiring Sept. 28 this year were:

Howard Lynn of Notasulga Rt. 1, designated as chairman to succeed E. P. Livingston, who resigned.

J. H. Sadler of Tuskegee, succeeding State Rep. Grady Rogers, who also resigned.

John Sullivan of Tuskegee, replacing the late Jesse Zachary of Notasulga.

Negroes Ask U. S. Action

The announcement came shortly after a Tuskegee Negro organization, the Tuskegee Civic Assn., disclosed it had asked Federal officials to create a Federal voter registration agency because of the absence of a state board.

No one, white or Negro, has been able to register as a voter in the county since December.

The Civil Rights Commission undertook its investigation in Macon and the five other counties after Negroes complained that they were denied registration because of their race.

After the Macon County board members resigned, the Justice Dept. filed suit in Federal Court to prohibit authorities in the county from discriminating against prospective Negro voters.

The suit charged that registrars there had denied voting rights to Negroes for many years and that it had become a systematic pattern.

Suit Thrown Out

Dist. Judge Frank M. Johnson Jr., of Montgomery threw the suit out of court because there was no functioning board to take action against and because the Civil Rights act of 1957 authorized the filing of suits only against individuals.

The government had contended first that Livingston and Rogers couldn't legally resign under Alabama law until their successors had been chosen.

It argued, too, that an injunction could be issued against the registration board even in the absence of functioning members, and also that the state could be brought in as a defendant in the suit.

Johnson overruled all those arguments. The Fifth U. S. Circuit Court of Appeals at New Orleans upheld him.

Negro voting has long been a major issue in Macon County, where members of that race outnumber white residents nearly six to one. The county has been without a registration board for as long as 18 months in the past.

Macon Negroes Ask Vote Bill

Montgomery Ala

TUSKEGEE, Ala. (AP)—Tuskegee Negroes, angered at no voter registration in Macon County since last December, have asked Congress to create a federal voter registration commission.

Secretary William P. Mitchell of the pro-integration Tuskegee Civic Assn. said Tuesday the group asked Congress to form an agency to step in 30 days after a local board ceases to function.

Mitchell said the action was prompted by the local situation, where there has been no voter registration since the two county registrars resigned after a U.S. Civil Rights Commission investigation.

The association drafted a bill and sent copies to 33 congressmen, and Mitchell said 17 of them had replied promising careful consideration of the measure.

Voc. group action

Macon Registrars Fail To Show Up For Duties

Advertiser

Montgomery Ala.

TUSKEGEE (AP)—Negroes who hoped the appointment of a new registration board—the first in seven months—would enable them to sign up as voters went away disappointed Monday.

None of the three newly appointed members of the Macon County Board of Registrars showed up on the first voter registration day since their appointments were announced.

Alabama law designates the first and third Mondays of each month for registrars to receive applications from prospective voters.

Nor was there any assurance that voter registration machinery in the county where Negroes outnumber white residents nearly 6-1 would start to function again in the immediate future.

PARTTIME JOBS

All three new board members said they haven't decided whether they will accept the parttime jobs.

Chairman Howard Lynn of Notasulga Rt. 1, said he has been busy gathering the cotton crop on his 246-acre farm and has had no time to confer with the other members, J. H. Sadler and John Sullivan of Tuskegee.

An uncounted number of Negroes drove or walked to the courthouse to see if the board was meeting Monday. They left immediately when they found the registration office vacant.

William P. Mitchell, secretary of the Tuskegee Civic Assn., which has long campaigned for Negro registration, said the efforts will continue. He said the TCA will ask state officials to appoint a new board if Lynn, Sadler and Sullivan fail to act.

Mitchell, who also heads the TCA's voter franchise committee, said Negroes will continue to push for a Federal Registration Commission to function when the state board fails.

Voter registration for Negro and white applicants alike came abruptly to a halt last December after the Civil Rights Commission started investigating complaints of discrimination against Negroes.

One member of the old board died and the other two resigned. No one had been chosen to succeed them until Lynn, Sadler and Sullivan were appointed last Thursday by a board composed of Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. (Red) Bamberg.

RIGHTS PROBE

The civil rights investigation was followed by a justice department suit asking for a federal court injunction against denial of voting rights to qualified Negroes.

Dist. Judge Frank M. Johnson Jr. in Montgomery dismissed the suit on the grounds that the resignation of the old board members left no one to sue. The Fifth U.S. Circuit Court of Appeals upheld him.

Mitchell said he doesn't know how many Negroes were waiting to register after the eight-month breakdown but that Macon County has 14,000 unregistered Negroes of voting age. And only 1,100 who are registered.

2,000 WHITE VOTERS

By contrast, he said, there are some 2,000 white voters out of a total white population of approximately 5,000.

Lynn told the Associated Press he was "not ready to make any kind of a statement." He said he has made no decision of acceptance or refusal of the appointment and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" but has made no decision whether to serve on the board or turn it down. Similar comment came from the third member, Sadler.

E. P. Livingston resigned as chairman of the old board of registrars last Dec. 10 and the other remaining board member, State Rep. Grady Rogers, turned in his resignation the same day. The third member, Jessee Zachary, had died a short time before.

CONTROVERSY SOURCE

Negro voting has long been a source of controversy in Macon County where famed Tuskegee Institute is located. The county at times in the past has gone as long as 18 months without a registration board.

A bill was introduced in the legislature in 1957 to abolish the county and divide its heavy Negro population among surrounding counties. Former State Sen. Sam Engelhardt, who at that time was executive secretary of the Alabama Assn. of Citizens Councils, agreed to withdraw the measure in favor of another to create a special study committee.

PUBLIC HEARINGS

The committee, after a series of public hearings, recommended that no immediate action be taken to abolish the county or reduce it in size.

Engelhardt did manage, however, to eliminate virtually all Negro voting in the city of Tuskegee. He got a local bill through the legislature changing the town boundaries to put the predominantly Negro residential areas outside the city limits.

Negroes, in protest, started a mass boycott of Tuskegee white merchants in June, 1957. It is still going on.

The law was challenged in federal court, but Johnson ruled the legislature had a right to rearrange the city boundaries. An appeal to the Court of Appeals is still pending.

Three New Vote Registrars Appointed To Macon Board

A new voter registration board for Macon County was appointed Thursday but it was uncertain whether any of the three new members would accept the appointment.

Macon County has been without a voter registration board since Dec. 10 when the remaining two board members resigned after the Civil Rights Commission began an investigation into Negro voting complaints in Macon and five other south Alabama counties.

The third member of the board had died a short time before. Howard Lynn of Notasulga Rt. 1 was designated as chairman of the new board to succeed E. P. Livingston, who resigned.

The other two board members appointed were J. H. Sadler of Tuskegee, who succeeds State Rep. Grady Rogers and John Sullivan who replaces the late Jesse Thorne.

Neither of the three appointees had received any official notice of the nomination late Thursday and one said he knew nothing about it until notified by The Advertiser.

Sadler said he "didn't know anything about it," referring to the appointment, and refused to comment on it until he could "look into it a little further."

Sullivan said he had heard "some talk" about his possible appointment but nothing official. He said he couldn't say anything definite yet but indicated he didn't think he would accept.

Lynn said he had heard Thursday about the appointment but it was not from the governor. He refused to say what action he would take on the appointment until he was officially notified.

The appointment of the new board was announced by the three state officials charged by law with the selection of registration officials—Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. (Red) Bamberg.

The announcement came shortly after a Tuskegee Negro organization, the Tuskegee Civic Assn., disclosed it had asked federal officials to create a federal voter registration agency because of the absence of a state board.

No one, white or Negro, has been able to register as a voter in the county since December.

NEGRO COMPLAINTS

The Civil Rights Commission undertook its investigation in Macon and the five other counties after Negroes complained that they were denied registration because of their race.

After the Macon County board members resigned, the Justice Department filed suit in Federal Court to prohibit authorities in the county from discriminating against prospective Negro voters. The suit charged that registrars there had denied voting rights to Negroes for many years and that it had become a systematic pattern.

Dist. Judge Frank M. Johnson Jr., of Montgomery threw the suit out of court because there was no functioning board to take action against and because the Civil Rights Act of 1957 authorized the filing of suits only against individuals.

ARGUMENTS OVERRULED

The government had contended first that Livingston and Rogers couldn't legally resign under Alabama law until their successors had been chosen.

It argued, too, that an injunction could be issued against the registration board even in the absence of functioning members, and also that the state could be brought in as a defendant in the suit.

Johnson overruled all those arguments. The Fifth U. S. Circuit Court of Appeals at New Orleans upheld him.

Negro voting has ong been a major issue in Macon County where members of that race outnumbers white residents nearly 6 to 1. The county has been without a registration board for as long as 18 months in the past.

Macon Given New Board Of Registrars

The Montgomery Advertiser Wed 11-25-59

A new board of registrars has been appointed in Macon County but the identity of the members has not yet been made known.

Gov. John Patterson revealed Tuesday that the appointments in Macon had been made as well as in 18 other Alabama counties. He said the state appointing board was still working on the appointments in three other counties.

Macon, a trouble spot in Negro voter registration for years, has been without a board of registras since last December. At that time the two members of the board resigned in the wake of a federal suit launched by the Justice Department charging the denial of voting rights to Negroes.

Patterson admitted that the state board had encountered "a lot of trouble getting people to serve."

"They don't get paid, and by serving they may be hauled into court by the FBI or the Civil Rights Commission," he said.

Macon County Role Indicated

Defiance Prompted plan for Federal Registrars

MONTGOMERY, Ala. (UPI) A spokesman for the civil rights commission indicated Wednesday Macon county defiance of the agency prompted the recommendation for appointment of federal registrars in areas where Negroes are denied the right to vote.

Macon conuty registrars, with the solid support of the state administration, refused to testify at a commission hearing here Dec. 8-9. The refusal to honor commission subpenas forced the federal agency to call an immediate halt to its investigation of alleged discrimination against Negroes in five cetnral Alabama counties.

William H. Swann, a consultant to the commission, explained to the state advisory committee teh recommendations in the agency's final report to the President.

The commission made five recommendations to President Eisenhower in the field of voting. The most controversial proposal, which touched off bitter complaints by Southern congressmen, pertained to the appointment of federal registrars.

The recommendations call for the President to appoint a temporary federal registrar in any political subdivision where nine or more members of a imnority group say they have been denied their rgiht to vote.

BATTLE OBJECTED

The federal appointee would be empowered to register any individual who qualifites under state voting laws for any election involving candidates for federal office.

Swann said the proposal was the only one that did not win unanimous approval of the six commission members.

Former Virginia oGv. John S. Battle objecetd on grounds "appointment of a federal registrar would place in the hands of the federal government a vital part of the election process so jealously guarded and carefully reserved to the states by the founding fathers."

In prefacing its recommendation, the commission noted state officials in Alabam and Louisiana openly defied efforts of the federal agency to secure information regarding registration of Negroes.

The commission said, "for one example, the members of the Macon county, Alabama, board of registrars resigned after this commissions' Alabama hearing. At the hearing 25 Macon county Negroes had testified that the board had unlawfully refused to register them. Invited to answer these charges, the Macon county registrars had refused to testify. But an injunction suit against the board to compel registration of 17 of the hearing itnesses and other apparently qualified Negroes, brought by the U. S. attorney general under the new provisions of the civil rights act o 1957, was dismissed for lack of anyone to sue.

4 RECOMMENDATIONS

"Subsequently, new appointees to the Macon county board were named in July 1959. They refused to serve. Their reason, according to United Press International report, was 'the pressure for Negro registration" and 'fear of being 'hounded' by the United States civil rights commission.' "

The four recommendations agreed up unanimously in the field of voting are:

Direct the bureau of census to compile statistical information on voting by race, color and oreed.

Make voter registration records public and require local officials to keep the records for a minimum of five years.

Prohibit any person or group from depriving or threatening to deprive an individual of the right to vote.

Amend the act creating the civil rights commission so that the agency can go directly to the federal courts if its subpenas or disobeyed. Under the present act the commission must call on the justice department for filing suits against defiant witnesses.

PROPOSAL PIGEONHOLED

Swann said the thre Northern members of the commission recommended that a constitutional amendment be passed reducing voter registration requirements to just citizenship, age and residence. This wouuld eliminate such tests as used by Alabama where prospective voters are required to demonstrate their understanding of the U. S. constitution.

However, the proposal was pigeonholed when Southern members of the commission strenuously objected. Swann said the Southern members felt that the temporary federal registrar recommendation should be put into efect first.

Seven of the 10 members of the Alabama advisory committee were present at the short briefing. They were chairman Douglas Brown, Mayor of Ozar, Dr. E. B. Goode of Mobile, Negro vice-chairman, A. G. Gaston, Birmingham Negro, Louis Eckle, Florence newspaperman, Mrs. Frances McLeod of Montgomery, Dr. Robert Lambert, Fairhope physician, and Mrs. L. H. Foster, wife of the president of Tuskegee Institute.

T. C. Gomillion, president of the Tuskegee Civic Association, and William P. Mitchell, executive secretary of the Negro organization, were among the seven Negro onlookers at the open meeting. Only one unidentified white man attended the session.

Macon Board Appointments Asked Again

TUSKEGEE (AP) — Another appeal for appointment of a voter registration board in Macon County was sent Saturday to Gov. John Patterson by an official of the Tuskegee Civic Assn.

William P. Mitchell, executive secretary of the TCA, a predominantly Negro organization, said he sent a telegram to the governor calling upon the state appointing board to provide the county with a board of registrars.

Macon County hasn't had a functioning board since last December after one member died and the other two resigned a short time after the U.S. Civil Rights Commission started an investigation into Negro voting complaints in Alabama.

Three new members were appointed last month but they notified state appointing officials later they would not serve because of pressure from Negro applicants and federal intervention.

Patterson left Saturday to attend the governor's conference at San Juan, Puerto Rico, and was unavailable for comment.

The other two members of the state appointing board, Mrs. Mary Texas Hurt Garner, State Auditor, and Agriculture Commissioner R. C. Bamberg were also unavailable.

Mitchell's telegram referred to a news story of July 24 which quoted the governor as saying "we members of the appointing board have tried and are still trying to find competent citizens of Macon County to serve on the board of registrars."

"This will respectfully call your attention to requests made by eight competent citizens of Macon County to the appointing board to be appointed to membership on this board of registrars on March 14, May 21 and May 22," the telegram said.

"It appeares that if a sincere effort was made to find three citizens to serve on the Macon County board that these citizens might have been considered."

Mitchell, a Negro leader who has worked to get members of his race registered for years, said the eight persons included both whites and Negroes but declined to release their names.

Their requests were sent by certified mail, he said, and return receipts were received indicating that the letters were delivered.

Macon Board Is Undecided On New Posts

Negroes Plan To Push Federal Vote Action

TUSKEGEE, Ala. (AP)—A Tuskegee Negro said today he hopes that a newly appointed Macon County board of registrars will function and serve all the residents of the county.

But William P. Mitchell, executive secretary of the Tuskegee Civic Assn., said his group will continue to press for legislation to create a federal registration commission.

3 WHITES ON BOARD

Meanwhile, three white persons named Thursday to fill vacancies on the board, which hasn't functioned for seven months were undecided today whether they will accept their appointments.

They were chosen to fill places left vacant by the death of one and resignation of two other registrars after the U. S. Civil Rights Commission began an investigation into Negro voting complaints last December.

WORD NOT RECEIVED

Those appointed to the board which has had difficulty keeping members in the racially tense county are Howard Lynn of Rt. 1 Notasulga, chairman, and J. H. Sadler and John Sullivan, both of Tuskegee.

Lynn said he hadn't yet received notice of his appointment and that it would take "several days to make up my mind" whether to accept.

Sullivan declined comment and said it would also be a day or two before he would have anything to say about whether he would serve.

The third man, Sadler, couldn't be reached for comment today but had previously said he would have to "look into the matter a little further" before making a decision.

TERMS EXPIRE SEPT. 28

The three were named to serve out terms expiring Sept. 28, succeeding the late Jesse Zachary of Notasulga, and E. P. Livingston and Macon County Rep. Grady Rogers who resigned.

Mitchell, the TCA secretary, said he was "very happy to have a board of registrars in the county again and hope that it will function for all the citizens."

"However, we will continue to press for enactment of House Resolution 7957 now pending in Congress to set up a federal voter registration commission," he added.

Mitchell said he didn't know how many Negroes are waiting to file applications to be registered as voters. He added that "there are about 14,000 unregistered Negroes in the county."

Negroes outnumber whites nearly 6-1 in the county but whites still have a voting edge.

Voting Rights

Denial To Negro Citizens Is Tyranny State

Officials Remiss

Editor Louis Eckl

In The Florence Times

THE fact that most Alabama counties, including those in the greater Muscle Shoals District, permit Negroes to qualify and vote on the same basis as white citizens, does not obscure the fact that grave injustices are being done many qualified Negro citizens in a small number of Alabama counties.

Denial of the right to vote makes of a qualified man or woman a slave.

This is no argument that unqualified persons, white or Negro, should be allowed to vote. But when qualified persons of any race, creed, color, national origin or economic status are denied the right to qualify and vote it means that they are being subjected to tyranny by the very state that is sworn to protect their rights.

That there are a few counties in Alabama in which Negroes, and possibly others, otherwise qualified, are prevented from registering and voting stands as a matter of fact on the record established at the hearings conducted at Montgomery earlier this year by the U.S. Civil Rights Commission composed of distinguished citizens from all parts of the nation with the South fully represented.

Despite these disclosures no effort has been made by a single state authority, to our knowledge, to insure that such citizens are not denied their rights. This speaks of unspeakable neglect of duty—a neglect that will not go unnoticed in other parts of the nation.

VOTE DENIAL CONDEMNED

In our travels around various parts of the nation we have found varying degrees of sympathy for the Southern point of view when it came to such matters as segregation in the schools—provided equal facilities and opportunities are offered Negroes in their own schools. To this date we have not found one citizen who has not denounced the denial of the right to vote.

It is actions on the part of our officials such as this that have created hotbeds of discontent in some spots in Alabama. Until the cause is corrected there is no hope for improvement.

It is our conviction that a vast majority of Alabama's Negro citizens, granted the right to vote when qualified, would work to bring about their own advancement within the present framework of segregation. The denial of such right is the very thing that brings on those disturbances that tear down the very thing the white people so much want to preserve. That is true because the Negro has every right to voluntarily choose segregation as his way of life whereas in the light of court decisions he can no longer be forced to do so.

Support for this belief is contained in a speech made the other day at Normal, Ill., by a [Montgomery] Negro, Fred D. Gray, who said that "90% of the civil rights problems of the Negro could be solved if he were permitted to exercise his franchise to vote."

Gray, a qualified attorney, told Illinois State Normal University's summer conference on public issues, that in many areas of the South "Negroes could elect a majority of the public officials if they were allowed to vote."

SHORT-SIGHTED SEGREGATIONISTS

It is such action as deniel of voting rights to qualified Negroes that lead them to believe that segregationists are only interested in loudly proclaiming states rights and the 10th Amendment guaranteeing the rights of the states while neglecting to mention the first amendment guaranteeing the security of individuals and property and the sixth amendment declaring the constitution to be supreme.

Our current experience in serving with distinguished Negro citizens on the Alabama Advisory Committee to the U.S. Civil Rights Commission convinces us that, above all, Alabama's qualified Negroes are interested principally in having the right to qualify and vote. It was on the recommendation of the Negro members of the committee that the group voted to restrict its activities to the voting question.

It is too bad that the very people who so loudly proclaim their interest in preserving segregation of the races in Alabama are the very ones whose actions (or failures to act) are most likely to increase racial disharmony and bring grief to all of the responsible citizens of the state, regardless of color.

Registrars By Force?

The federal government has been trying to argue in court that a registrar by Alabama law must continue to hold his office until a successor is appointed. Two Macon County registrars resigned as a Civil Rights Commission inquiry was being hammered at. The third registrar had died. Macon had no board.

The Justice Department nevertheless tried to bring charges against Registrars Grady Rogers and E. P. Livingston, who resigned. They were unsuccessful. Federal Judge Frank M. Johnson, Jr., said they had resigned in good faith. The Justice Department then sought to make the state itself party to charges of discrimination in voter registration. This was turned down and now will be reviewed by the U. S. Supreme Court.

Livingston And Rogers

The matter of registrars' obligation to serve if appointed, and if they accept appointment, needs close scrutiny. Involved is a question of a citizen's right to agree or not to agree to accept office or to continue to hold office once it is accepted. This may be unrelated to the question whether a registrar, even if he has resigned, is liable for acts while he did serve as a registrar.

The state code seems specific enough to us. It states, Title 17, Section 22, that "The registrars so appointed under this article may be removed at the will of the appointing board, or a majority of the members thereof, at any time, with or without cause, and without giving their reasons therefor; and if not so removed, the registrars *may hold office for four years from the time of their appointment and until their successors are appointed.*" (Italics ours—Editor.)

The registrars "may" hold office, they "may" do so for four years until successors are appointed. The federal government says that "may" means "must." It assumes that there is an obligation, under the law, to continue to serve.

But Section 23 follows. It concerns vacancies and how they are to be filled. "If one or more of the persons appointed on such board of registration shall refuse, neglect, or be unable to qualify or serve, or if a vacancy or vacancies occur in the membership of the board of registrars from any cause, the governor, auditor and the commissioner of agriculture and industries, or a majority of them acting as a board of appointment, shall make other appointments to fill such board."

Here the key seems to be in "If . . . persons appointed . . . refuse, neglect, or be unable to qualify or serve. . . ." The state law clearly makes an assumption that a registrar may, of his own will, refuse to serve if appointed. We construe this phrasing to mean he may do so even if he has been serving. There is, certainly, no explicit requirement, so stipulated, that acceptance of an appointment entails a legally-bound pledge to continue serving until a successor is appointed.

This paper has said it thinks total or near-total barring of Negroes from registration is unworkable and an invitation to extreme federal action. But the federal government will be going far if it tries to use its power to dictate the persons on registration boards or seeks to force individuals to serve. Before the high court it may be successful in making the state, as the supreme power in control of existing registration machinery, party to any such action as that involving Macon County. But it cannot do so without forcing a change in state law.

The enigma continues.

High Court to Study Alabama Negro Vote

United Press International

WASHINGTON, Nov. 16.—The Justice Department today won Supreme Court review of its efforts to enforce Negro voting rights in Macon County, Ala.

Later in the term the High Court will hear arguments in the case, which involves an interpretation of the 1957 Civil Rights Act. Another case from Georgia involving the same law has already been accepted for review. The two will be argued the same day.

The department brought the two cases to the High Court after losing in lower federal courts. Both were started under section of the act which empowers the federal government to enforce the Constitutional right of Negroes to vote.

The government began today's case last February with a complaint in Federal District Court in Montgomery charging that more stringent voting regnstration standards were applied to Negroes than to whites in Macon County. Many Negro voters are college personnel or graduates.

The complaint was directed against the registration board, two board members and the State of Alabama. Federal Judge Frank M. Johnson dismissed the suit on the ground that the Civil Rights Act does not authorize a suit against a state. He was upheld by the Fifth U.S. Circuit Court of Appeals last June.

The Justice Department insisted that the 1957 statute does permit a complaint against a state. This was the question put up to the Supreme Court.

In the Georgia case, Federal District Judge T. Hoyt Davis of Americus found the law unconstitutional.

In another civil right ruling today the Supreme Court denied a hearing to seven Negro teachers who claim racial considerations cost them their jobs in the 1955 integration of Moberly, Mo., public schools. The Court's order leaves standing a lower court decision that race played nop art in the situation.

In 1957 Civil Rights Act Case

High Court to Determine If U.S. Can Sue State

By ALICE A. DUNNIGAN

WASHINGTON (ANP) — The United States Supreme Court will decide whether the Federal Government has the authority to "secure equitable relief" against a state in order to remove discriminations against Negro citizens' denial of the right to vote."

The case grew out of the situation in Macon County, Ala., where the Board of Registrars has been charged with acts of discrimination against the registration of Negro voters.

This was done by maintaining separate and segregated registration facilities for Negroes. Also by applying more stringent registration standards to Negroes than to whites and the use of other techniques calculated to disqualify Negro registrants, according to officials of the United States Government.

■

SUCH PROCEDURE is a violation of the Civil Rights Act of 1957 which specifically states that:

"All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any state, territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any state or territory, or by or under its authority, to the contrary notwithstanding."

And the law continues by pointing out that any person engaged in any act or practice which deprives any other person of this right are subjected to civil action brought by the Attorney General in the name of the United States.

ACTING UNDER this provision of the law, the United States filed action against Grady Rogers and E. P. Livingston, members of the Board of Registrars of the Alabama County, later amending the complaint to include the entire state.

The District Court ruled that the Civil Rights Act did not authorize suits against a state. It further claimed that the individuals sued could no longer be considered defendants in the case because they had resigned their positions prior to the institution of the Government's action.

Justice Department attorneys have called upon the Supreme Court to decide whether Congress conferred authority upon the Federal Government to act when the voting rights of United States citizens have been denied. "The question of whether the Civil Rights Act of 1957 grants this authority is one of national importance which should be resolved by decision of this court. A statement signed by Solicitor General J. Lee Rankin and four other Justice officials declared that "there are circumstances in which suit against a state is not only 'appropriate,' but 'necessary'."

Tuskegee City Boundaries Upheld

NEW ORLEANS (AP) — The U.S. Fifth Circuit Court of Appeals Tuesday upheld the action of an Alabama Federal district court which refused to invalidate legislation which gerrymandered Negroes out of the Tuskegee, Ala., city limits.

After the Alabama legislature changed the city's boundaries, a group of Negroes sued to have the law declared null and void on grounds that the change excluded all but a few of about 420 Negroes from the city and kept them from voting in local elections.

The only purpose of the legislation, they continued, was to deny them their right of franchise and other rights and privileges of Tuskegee citizenship. The Negroes asked for a declaration that the legislature's action violated the due process and equal protection clauses of the U.S. Constitution.

Federal District Judge Frank M. Johnson Jr., held that his court, had no authority to rule the legislation invalid.

The appellate court here, in a ruling written by Judge Warren L. Jones, upheld the lower court. The appellate court held that it is a general rule that the "power of increase and diminiution of municipal territory is plenary, inherent and discretionary in the legislature and, when duly exercised, cannot be revised by the courts.

"We need not say, for our purpose here, that there may not be cases where courts can properly inquire as to whether a statute fixing boundaries transcends constitutional limits. We think this is not such a case."

Judge John R. Brown, in a dissent, wrote, "in Macon County, of which Tuskegee is a geographical part, neither the constitution nor congress nor the courts are thus far able to assure Negro voters of this basic right.

"That this has occurred demonstrates, I think, that the fifteenth amendment contemplated a judicial enforcement of its guarantees against either crude or sophisticated action of states seeking to subvert this right."

Macon Action Appeal Blamed By U.S.

County's Defiance Cited As Cause Of Proposal For Federal Registrar

By United Press International

MONTGOMERY, Ala., Sept. 9. — A spokesman for the Civil Rights Commission indicated Wednesday Macon County defiance of the agency prompted the recommendation for appointment of Federal registrars in areas where Negroes are denied the right to vote.

Refused To Testify

Macon County registrars, with the solid support of the state of Alabama, refused to testify at a commission hearing here Dec. 8-9. The refusal to honor commission subpenas forced the Federal agency to call an immediate halt to its investigation of alleged discrimination against Negroes in five central Alabama counties.

William H. Swann, a consultant to the commission, explained to the State Advisory Committee the recommendations in the agency's final report to the President.

The commission made five recommendations to President Eisenhower in the field of voting. The most controversial proposal, which touched off a bitter howl from the Southerners, pertained to the appointment of Federal registrars.

Federal Registrar

The recommendations call for the President to appoint a temporary Federal registrar in any political subdivision where nine or more members of a minority group fear they have been denied their right to vote.

The Federal appointee would be empowered to register any individual who qualifies under state voting laws for any election involving candidates for Federal office.

IN THE SENATE

Bills Reported Out

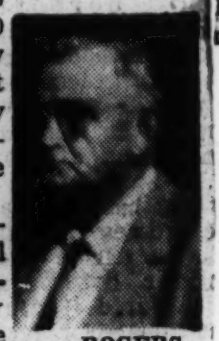
Would Curb Registrations

By HERSCHEL CRIBB

Macon County Negroes' opportunity to register to vote would be curbed under two bills reported out of the Senate Elections committee Wednesday.

One bill gives registrars in Macon County the right to use 12 days for clerical work. They won't register anybody on those days.

The second bill gives the board the right to spend up to 20 days every other year out in county precincts instead of at the courthouse.



ROGERS

The bills apply to all county registrars in the state but were specifically tailored for the Macon County situation where Negroes outnumber whites 6-to-1.

Rep. Grady Rogers, a former member of the Macon County board, proposed the bills and Sen. L. [illegible] Andrews presented them to the committee. Rogers is one of three of the county's registrars who resigned in face of a federal suit to compell registration of qualified Negroes.

No board of registrars has functioned in the county since last December, when the three quit. The federal suit was later dismissed because there was no board to sue.

Rogers explained that when the board is out in the county precinct only Negroes living in the precinct can ask to be registered.

At the courthouse, a Negro from anywhere in the county could apply, Rogers said.

The laws now requires the boards to meet the first and third Monday in most counties and other times in some counties.

Macon Having Trouble Getting Vote Registrars

Advertiser & Journal
Montgomery, Ala.

By REX THOMAS

Despite the pressure for Negro voting, state officials say they anticipate little trouble in finding people to serve on boards of registrars for the next four years.

That is, except in Macon County.

No voter registration board has functioned there since last December, and state authorities say they have scant hope of getting one.

The terms of board members in all 67 counties expire Wednesday, and the appointing board composed of the governor, commissioner of agriculture and state auditor is confronted with the task of replacing them.

They won't have to do it immediately, however, because the law provides for outgoing registrars to remain in office until the successors are chosen. Gov. John Patterson said he hopes to confer with the other two states officials within a few days about the appointments.

ENOUGH WILLING

Patterson and Agriculture Commissioner R. C. (Red) Bamberg both say they have more than prospective members willing to serve even in the face of threatened federal intervention.

"I don't anticipate any trouble filling the vacancies anywhere except in Macon County," the governor commented.

The law gives the appointing board almost unlimited authority to dictate registration policies, although each official customarily appoints one registrar in each county, any two members of the appointing oard can outvote the third.

And a majority on the board can remove any registrar, with or without cause.

That means the three state officials can appoint registrars who will carry out whatever policies they may decide on, and can fire any registrar who doesn't do it.

Macon County has had no registration board since the U. S. Civil Rights Commission undertook an investigation of Negro voting complaints in Macon and five other south Alabama counties last December.

The Justice Department filed a suit in Federal Court to prohibit registration authorities in Macon from denying Negroes the right to vote because of their race. The suit was dismissed because there was no registration board to get an appeal is pending now before the Supreme Court.

Patterson and the other two officials announced the appointment of three new registrars in Macon, but the appointees refused to serve.

NEW INJUNCTION

Once a board started functioning in the county, the federal government could file a new injunction suit. And then the registrars might find themselves prohibited by court order from resigning.

Although he ruled that the last resistration officials to serve in Macon County resigned legitimately, U. S. Dis. Judge Frank M. Johnson Jr., in Montgomery added this warning:

"Nothing stated in this opinion should be construed to mean that this court sanctions or will sanction the proposition that registrars are free to resign at will, indiscriminately and in bad faith, and thereby cast off all their responsibilities and obligations as such officers."

Rejection Is Asked Of Macon Appeal

News & Courier
Charleston, S. C.
Aug 10 1959

WASHINGTON (AP) — Alabama's attorney general has asked the Supreme Court to reject a government appeal involving alleged discrimination against Negroes by Macon County (Ala.) vote registrars.

MacDonald Gallion, the attorney general, made the request in a petition submitted in reply to an appeal filed by the Justice Department last Sept. 11.

The appeal questioned a ruling by U.S. Dist. Judge Frank M. Johnson in Montgomery, dismissing a department suit filed under the civil Rights Act of 1957.

Johnson held that Congress, in writing the act, had intentionally used in it the word "person" so as to exclude states from injunction suits.

He also held that the Alabama Legislature had not provided that registrars must serve until successors are appointed. Two registrars in the Alabama case resigned before the government suit was filed and no successors were appointed.

Gallion's petition opposing Supreme Court review, said the correctness of Johnson's ruling was self-evident.

Gallion said in the petition, that the question presented by this case does not reach the fundamental question of constitutionality of the Civil Rights Act. He argued that the question presented is of limited scope and importance because of the peculiar circumstances of the case, and asserted that the Justice Department sought to have the Supreme Court "legislate rather than review the issues of a litigated case."

The Justice Department's appeal said the principal question was whether the act empowered the United States to sue a state in seeking to remove discriminations against Negroes who were "unconstitutionally denied the right to vote."

Macon Registrars Fail To Show Up For Duties

TUSKEGEE (AP)—Negroes who hoped the appointment of a new registration board—the first in seven months—would enable them to sign up as voters went away disappointed Monday.

None of the three newly appointed members of the Macon County Board of Registrars showed up on the first voter registration day since their appointments were announced.

Alabama law designates the first and third Mondays of each month for registrars to receive applications from prospective voters. But was there any assurance that voter registration machinery in the county where Negroes outnumber white residents nearly 6-1 would start to function again in the immediate future.

PARTTIME JOBS

All three new board members said they haven't decided whether they will accept the parttime jobs. Chairman Howard Lynn of Notasulga Rt. 1, said he has been busy gathering the cotton crop on his 246-acre farm and has had no time to confer with the other members, J. H. Sadler and John Sullivan of Tuskegee.

An uncounted number of Negroes drove or walked to the courthouse to see if the board was meeting Monday. They left immediately when they found the registration office vacant.

William P. Mitchell, secretary of the Tuskegee Civic Assn., which has long campaigned for Negro registration, said the efforts will continue. He said the TCA will ask state officials to appoint a new board if Lynn, Sadler and Sullivan fail to act.

Mitchell, who also heads the TCA's voter franchise committee, said Negroes will continue to push for a Federal Registration Commission to function when the state board fails.

Voter registration for Negro and white applicants alike came abruptly to a halt last December after the Civil Rights Commission started investigating complaints of discrimination against Negroes.

One member of the old board died and the other two resigned. Each had been chosen to succeed them until Lynn, Sadler and Sullivan were appointed last Thursday by a board composed of Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. (Red) Bamberg.

RIGHTS PROBE

The civil rights investigation was followed by a justice department suit asking for a federal court injunction against denial of voting rights to qualified Negroes.

Dist. Judge Frank M. Johnson Jr. in Montgomery dismissed the suit on the grounds that the resignation of the old board members left no one to sue. The Fifth U.S. Circuit Court of Appeals upheld him.

Mitchell said he doesn't know how many Negroes were waiting to register after the eight-month breakdown but that Macon County has 14,000 unregistered Negroes of voting age. And only 1,100 who are registered.

2,000 WHITE VOTERS

By contrast, he said, there are some 2,000 white voters out of a total white population of approximately 5,000.

Lynn told the Associated Press he was "not ready to make any kind of a statement." He said he has made no decision of acceptance or refusal of the appointment and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" but has made no decision whether to serve on the board or turn it down. Similar comment came from the third member, Sadler.

E. P. Livingston resigned as chairman of the old board of registrars last Dec. 10 and the other remaining board member, State Rep. Grady Rogers, turned in his resignation the same day. The third member, Jessee Zachary, had died a short time before.

CONTROVERSY SOURCE

Negro voting has long been a source of controversy in Macon County where famed Tuskegee Institute is located. The county at times in the past has gone as long as 18 months without a registration board.

A bill was introduced in the legislature in 1957 to abolish the county and divide its heavy Negro population among surrounding counties. Former State Sen. Sam Engelhardt, who at that time was executive secretary of the Alabama Assn. of Citizens Councils, agreed to withdraw the measure in favor of another to create a special study committee.

PUBLIC HEARINGS

The committee, after a series of public hearings, recommended that no immediate action be taken to abolish the county or reduce it in size.

Engelhardt did manage, however, to eliminate virtually all Negro voting in the city of Tuskegee. He got a local bill through the legislature changing the town boundaries to put the predominantly Negro residential areas outside the city limits.

Negroes, in protest, started a mass boycott of Tuskegee white merchants in June, 1957. It is still going on.

The law was challenged in federal court, but Johnson ruled the Legislature had a right to rearrange the city boundaries. An appeal to the Court of Appeals is still pending.

Macon Case Gets Study By 3 Judges

Federal Authority In Civil Rights Core Of Action

NEW ORLEANS, (AP) — The authority of the federal government over states in civil rights cases came into sharp focus Friday in a voting case before the U.S. fifth circuit court of appeals.

The federal government argued the state of Alabama can be enjoined in the Macon County vote registration case.

Alabama countered that only individual persons may be sued under the civil rights act, and that the sovereign states traditionally are exempted from such suits.

The three-judge court took the case under study after about one hour of testimony. Chief Judge Joseph C. Hutcheson said the case would be weighed impartially.

MAIN ISSUE

Asst. Atty. Gen. W. Wilson White, chief of the civil rights division, told the court he believed the main issue to be determined is whether the state of Alabama is subject to injunctive action under the civil rights act.

The federal government appealed the case after U.S. Dist. Judge Frank M. Johnson Jr., at Montgomery, dismissed the government's case March 6.

Johnson ruled the resignation of the last two remaining voter registrars in Macon — E. P. Livingston and state Rep. Grady Rogers — last December left no person for the government to take action against.

PRESENT ARGUMENT

Alabama's argument was presented by Nicholas S. Hare and Gordon Madison, assistants to Alabama Atty. Gen. MacDonald Gallion.

Hare said Congress did not intend to make any exception to legal provisions against suits against sovereign states. White argued Congress did. Both men cited testimony before Congressional hearings to back their claims.

Counsel for Alabama argued that only in proprietary cases, where state owned property is involved, does the law allow a state to be sued.

White said former U.S. Atty. Gen. Brownell told Congressional hearings the Justice Department was asking authority to begin civil injunctive proceedings against states in vote denial and other civil rights cases.

Hare said Alabama law provides adequate relief for persons seeking relief in voting denials. He called the federal appeal an extreme action.

Tuskegee gerrymander under U.S. court scrutiny

NEW ORLEANS—The U.S. Fifth Circuit Court of Appeals took under advisement the case of colored Tuskegee, Ala. residents protesting against the move which redistricted the city so that colored persons would not be able to vote in city elections.

The case was in court on appeal from the decision of federal district Judge Frank Johnson, who had dismissed the suit. The colored citizens had lived in Tuskegee before the State Legislature changed the city boundaries in 1957.

The plaintiffs called the move:

". . . Another device in a continuing attempt on the part of the State of Alabama to disfranchise colored citizens." They said several thousands of colored persons were excluded from the city in the redistricting which eliminated colored neighborhoods and famel Tuskegee Institute.

Macon board fails to show for registration

BY LYNNE BRANNEN

TUSKEGEE, Ala., July 20—(AP)—None of the three newly appointed members of the Macon County Voter Registration Board showed up today on the first registration day since their appointment.

Neither was there a crowd of Negroes waiting to register as there has been in the past after the county had gone a long time with no functioning machinery for voter registration.

One Negro leader, Secretary William P. Mitchell of the Tuskegee Civic Assn., paid a brief visit to the courthouse to see if the board was meeting.

HE SAID an uncounted number of other Negroes also had checked into it during the day and others might try during the afternoon.

Mitchell, who is chairman of the civic association's voter franchise committee, said the state board which appoints registrars will be asked to name three others if the present appointees fail to function.

He said there are 14,000 unregistered Negroes of voting age in the county and only some 1100 Negro voters.

It was the first registration day since last December that the county has had an appointed board of registrars. One member of the old board died and the remaining two resigned after the Federal Civil Rights Commission started an investigation of complaints that Negroes were denied the right to vote because of their color.

HOWARD LYNN of nearby Notasulga Rt. 1, newly designated chairman of the three-man board, told The Associated Press by telephone from his home that he wasn't "ready to make any kind of a statement."

He and the other two appointees, J. H. Sadler and John Sullivan of Tuskegee, said they haven't decided whether to accept the appointments which were announced last Thursday by Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg.

Lynn said the three men have had no chance to get together to discuss their appointments and he doesn't know when they will. He said he has been busy harvesting cotton on his 246-acre farm.

THE CHAIRMAN said he is still undecided whether to serve on the registration board and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" to his appointment but has made no final decision. The same reaction came from Sadler.

They concurred in Lynn's statement that no plans have been made for a board meeting and added that they had heard nothing of one for today.

Alabama law sets aside the first and third Mondays of each month for registration boards to meet in

each of the 67 counties.

Macon County, where Negroes outnumber white residents nearly 6-1, was one of six Alabama counties where Civil Rights Commission agents checked into Negro voting complaints.

LATER, THE Justice Department filed a suit in U. S. District Court at Montgomery charging Macon County officials with systematically refusing to register Negroes and asking for an injunction to stop it.

The Right To Vote In Tuskegee

Daily World

(From The Chicago Daily Tribune)

The outrageous effort to prevent Negroes in Macon County, Alabama, from voting has taken a new turn. The county had no voter registration board from last December until a week or two ago. Finally, Gov. Patterson appointed a new board. Its three members first found they were too busy with their private affairs to perform their public duties and then all three decided to resign.

Atlanta, Ga.

Six-sevenths of the citizens of Macon County are Negroes. Tuskegee, the county seat, is the home of the famous college for Negroes founded by Booker Washington. Any educational test for voting, no matter how rigorous, if fairly applied, would probably result in enfranchising more Negroes than whites in the county. That is, of course, the real, though unstated reason for the long series of maneuvers and dodges by which the registration of Negroes has been prevented.

Sat. 8-22-59

We have called this behavior outrageous, as of course it is to anyone who believes in the equality of men before the law, but there's more to be said about it than that. The incident establishes that the most frequently heard of the so-called constitutional arguments against the decisions of the Supreme Court in the segregation cases is sheer pettifoggery.

Hundreds of southern politicians and editors have persistently misled their followers by proclaiming that, for lack of an appropriate act of Congress, the courts had no right to hear the appeal of the Negroes against segregation in the schools. This contention rests upon the last clause of the 14th Amendment which says, "The Congress shall have power to enforce by appropriate legislation the provisions of this article."

These words are taken by the pettifoggers to mean that only Congress has the power to enforce a provision of the 14th Amendment. Anyone who is acquainted with the historical circumstances in which the amendment was adopted will hardly doubt that the actual meaning is that if a state does discriminate against Negro citizens and if the President and the courts fail to protect the Negroes' rights, Congress may do whatever it deems needful by way of correction.

At any rate, whether this is what the words were intended to mean or not, there is no doubt at all that in the last three-quarters of a century the courts have invalidated scores of state laws because they violated one or another provision of the 14th Amendment, usually having nothing at all to do with race relations. No acts of Congress were deemed necessary to permit the courts to interpret the 14th Amendment and it was only after the segregation decision that the supposed need for congressional action was discovered.

And now, in the news from Tuskegee, we have further evidence of pettifogging. The right of the Negroes of Macon County to qualify as voters is stated in the 15th Amendment. It says that no state may deprive Negroes of the right to vote. It concludes with the phrase, "The Congress shall have the power to enforce this article by appropriate legislation." The words are all but identical with those in the 14th Amendment and the meaning is indistinguishable.

Well, Congress, in this instance, did enact appropriate legislation only last year. It set up a commission to investigate the voting rights of Negroes in the southern states, and one of the places studied by this commission was Macon County, Alabama, where, despite the congressional grant of authority, the local authorities made things just as difficult as they knew how for the investigators.

Another place studied by the commission was northern Louisiana. Subpenas under authority of Congress were issued for voting records, but the records have not been forthcoming. A week or so ago a lawyer acting on behalf of 17 northern Louisiana registrars filed suit in federal court to keep the papers out of the hands of the commission.

The point, of course, is that it really doesn't make any difference to those who wish to deprive the Negroes of their rights whether Congress has or has not issued a specific mandate. All that these zealots are intent upon is depriving their Negro fellow citizens of the rights that go with citizenship. The rest is just hypocritical rationalizing.

The Right To Vote In Tuskegee

Weekly

(From the Chicago Daily Tribune)

The outrageous effort to prevent Negroes in Macon County, Alabama, from voting has taken a new turn. The county had no voter registration board from last December until a week or two ago. Finally, Gov. Patterson appointed a new board. Its three members first found they were too busy with their private affairs to perform their public duties and then all three decided to resign.

New Orleans, La.

Sat. 8-22-59

Six-sevenths of the citizens of Macon county are Negroes. Tuskegee, the county seat, is the home of the famous college for Negroes founded by Booker Washington. Any educational test for voting, no matter how rigorous, if fairly applied, would probably result in enfranchising more Negroes than whites in the county. That is, of course, the real, tho unstated, reason for the long series of maneuvers and dodges by which the registration of Negroes has been prevented.

We have called this behavior outrageous, as of course it is to anyone who believes in the equality of men before the law, but there's more to be said about it than that. The incident establishes that the most frequently heard of the so-called constitutional arguments against the decisions of the Supreme court in the segregation cases is sheer pettifoggery.

Hundreds of southern politicians and editors have persistently misled their followers by proclaiming that, for lack of an appropriate act of Congress, the courts had no right to hear the appeal of the Negroes against segregation in the schools. This contention rests upon the last clause of the 14th amendment which says, "The Congress shall have power to enforce by appropriate legislation the provisions of this article."

These words are taken by the petti-

foggers to mean that only Congress has the power to enforce a provision of the 14th amendment. Anyone who is acquainted with the historical circumstances in which the amendment was adopted will hardly doubt that the actual meaning is that if a state does discriminate against Negro citizens and if the President and the courts fail to protect the Negroes' rights, Congress may do whatever it deems needful by way of correction.

At any rate, whether this is what the words were intended to mean or not, there is no doubt at all that in the last three-quarters of a century the courts have invalidated scores of state laws because they violated one or another provision of the 14th amendment, usually having nothing at all to do with race relations. No acts of Congress were deemed necessary to permit the courts to interpret the 14th amendment and it was only after the segregation decision that the supposed need for congressional action was discovered.

And now, in the news from Tuskegee, we have further evidence of pettifogging. The right of the Negroes of Macon county to qualify as voters is stated in the 15th amendment. It says that no state may deprive Negroes of the right to vote. It concludes with the phrase, "The Congress shall have the power to enforce this article by appropriate legislation." The words are all but identical with those in the 14th amendment and the meaning is indistinguishable.

Well, Congress, in this instance, did enact appropriate legislation only last year. It set up a commission to investigate the voting rights of Negroes in the southern states, and one of the places studied by this commission was Macon county, Alabama, where, despite the congressional grant of authority, the local authorities made things just as difficult as they knew how for the investigators.

Another place studied by the commission was northern Louisiana. Subpenas under authority of Congress were issued for voting records, but the records have not been forthcoming. A week or so ago a lawyer acting on behalf of 17 northern Louisiana registrars filed suit in federal court to keep the papers out of the hands of the commission.

The point, of course, is that it really doesn't make any difference to those who wish to deprive the Negroes of their rights whether Congress has or has not issued a specific mandate. All that these zealots are intent upon is depriving their Negro fellow citizens of the rights that go with citizenship. The rest is just hypocritical rationalizing.

The Need For Fair And Up-To-Date Voter-Registration In Alabama

In the second of a series of copyrighted articles on voter registration in Alabama, written by Hugh W. Sparrow, The Birmingham News reported, in part, February 16, 1959: "In six other counties, Lowndes, Chilton, Perry, Bibb, Hale and Wilcox reporters were not satisfied there was no discrimination." Of course, the reference was obviously intended to mean "discrimination" against the Negro segment.

The same article in a preceding paragraph noted: "In two other counties, Macon and Bullock, board members had resigned, or for other reasons the boards were not functioning. No effort therefore, was made to draw conclusions in these two (counties)."

It is both an established and widely circulated fact that the boards of registrars in Macon and Bullock counties resigned or stopped functioning as a device and strategy to continue to disfranchise members of the Negro group. In Macon County white citizens have refused to accept appointment to the county voter-screening board to avoid, it seems, the registration of qualified Negro persons, and out of fear that if they wrongfully and wilfully deny qualified Negro applicants the ballot they would be held accountable by the Federal Government.

After re-reading the Sparrow series it seems clear that the Federal Civil Rights Commission has merely confirmed his findings of "discrimination" against Negro would-be and ought-to-be voters. The Commission was also, it seems, able to reveal the facts about Macon and Bullock counties which the Sparrow report made "no effort . . . to draw conclusions."

On March 6, the Sparrow copyrighted series gave a district by district and county by county listing of registered voters in Alabama. It said that in the Ninth Congressional District: "Jefferson, 130,000 registered, including 11,000 Negroes; non-white population, 37.3."

This means that while the Negro group in Jefferson County is 37.3 per cent of the total population, this group has less than nine per cent of the registered voters.

Despite the findings by its own staff of reporters The Birmingham News continues to advocate "a stricter voter-registration test" as being "essential." We seriously question whether a stiffer test in the hands of unfriendly, and often prejudiced registration officials, would contribute to better voter-screening, fairer administration of voter tests and the enrichment of political democracy.

The Congress should pass during the present session an adequate Civil Rights Bill. The Congress should see to it that the 15th Amendment is so implemented that such stratagems as harsher state laws, non-functioning boards of registrars, and uneven administration of voter-qualification laws will be met squarely and effectively. We do not see how the Federal Court can for long maintain itself if it allows hostile state officials to de-instrumentalize the basic amendments to the national constitution.

34e 1959

ALABAMA

MACON COUNTY

Tuskegee's Board Fails To Show Up For Registration

New Members Undecided' On Serving

BY LYNNE BRANNEN

TUSKEGEE, Ala. (AP) — None of the three newly-appointed members of the Macon County Voter Registration Board showed up today on the first registration day since their appointment.

Neither was there a crowd of Negroes waiting to register as there has been in the past after the county had gone a long time with no functioning machinery for voter registration.

One Negro leader, Secretary William P. Mitchell of the Tuskegee Civic Assn., paid a brief visit to the courthouse to see if the board was meeting.

He said an uncounted number of other Negroes also had checked into it during the day and others might try during the afternoon.

Mitchell, who is chairman of the civic association's voter franchise committee, said the state board which appoints registrars will be asked to name three others if the present appointees fail to function.

He said there are 14,000 unregistered Negroes of voting age in the county and only some 1,100 Negro voters.

FIRST DAY

It was the first registration day since last December that the county has had an appointed board of registrars. One member of the old board died and the remaining two resigned after the Federal Civil Rights Commission started an investigation of complaints that Negroes were denied the right to vote because of their color.

Howard Lynn of nearby Notasulga Rt. 1, newly designated chairman of the three-man board, told the Associated Press by telephone from his home that he wasn't "ready to make any kind of a statement."

He and the other two appointees, J. H. Sadler and John Sullivan of Tuskegee, said they haven't decided whether to accept the appointments which were announced last Thursday by Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. (Red) Bamberg.

HAVEN'T CONFERRED

Lynn said the three men have had no chance to get together to discuss their appointments and he doesn't know when they will. He said he has been busy harvesting cotton on his 246-acre farm.

The chairman said he is still undecided whether to serve on the registration board and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" to his appointment but has made no final decision. The same reaction came from Sadler.

They concurred in Lynn's statement that no plans have been made for a board meeting and added that they had heard nothing of one for today.

Alabama law sets aside the first and third Mondays of each month for registration boards to meet in each of the 67 counties.

COMPLAINTS CHECKED

Macon County, where Negroes outnumber white residents nearly 6-1, was one of six Alabama counties where civil rights commission agents checked into Negro voting complaints.

Later, the Justice Department filed a suit in U. S. District Court at Montgomery charging Macon County officials with systematically refusing to register Negores and asking for an injunction to stop it.

But Judge Frank M. Johnson Jr., threw the suit out of court one the grounds that no registrars were serving in the county and that the Civil Rights act of 1957 allowed the government to take action only against individuals.

Because the board had resigned, Johnson ruled in effect that there was no one left to sue. The Fifth U. S. Circuit Court of Appeals at New Orleans upheld him.

Appeals Court Upholds Ouster Of Macon Suit

NEW ORLEANS (AP)—The U.S. Fifth Court of Appeals Tuesday upheld dismissal of a voter registration suit in Macon County, Ala., where only eight per cent of eligible Negroes could vote in 1958.

The Appeal Court agreed with District Judge Frank M. Johnson Jr.'s ruling that the justice department could not sue two Macon County registrars who had already quit.

The Justice Department also named the state of Alabama and the registration board as parties to the suit. But Johnson ruled the civil rights act permits suit against individuals only.

AFFIRMED RULING

Therefore, the Montgomery, Ala. judge said neither the state nor the registration board were suable, and the Appeals Court Tuesday affirmed the ruling.

In its suit, the government pointed out in 1958 only 1,100 Negroes of some 14,000 Negroes of voting age were registered to vote in Macon County. It said, at the same time about 3,016, or 97 per cent, of the county's 3,100 vote-age white citizens were registered voters.

The government said the board applied tougher registration standards to Negroes and denied vote registration solely on account of race. It asked relief against the board's practices in its suit.

The suit, titled United States vs. state of Alabama, was originally filed against registrars Grady Rogers, E. P. Livingston and the county registration board on Feb. 5.

The appeal came from the district court for Alabama's Middle District. Tuesday's appellate court ruling was written by Chief Judge Joseph C. Hutcheson Jr.

Informed of the Court of Appeals decision here Tuesday night, Atty. Gen. McDonald Gallion hailed it as "a tremendous victory in upholding the rights of the sovereign states."

"It's wonderful news," he said. "I'm gratified to learn of the decision, and I'm highly pleased that we won. I'm confident that if it goes to the Supreme Court, we'll win it there."

Gallion defended Alabama in the voter registration suit.

State Sen. L. K. (Snag) Andrews, who was attorney for Livingston and Rogers and accompanied Gallion to New Orleans said that "I am indeed happy that we've been successful.

"In my opinion, it's one of the most far-reaching cases ever filed in Alabama, and I'm sure glad we won it."

Andrews also said that it was his opinion that the government "will take it on up to the Supreme Court of the United States.

"In fact, they indicated that they would in New Orleans," he added.

istrars and the State of Alabama.

The Department of Justice suit sought relief against alleged discrimination in registering Negro voters in Macon County where only 1,100 Negroes out of 14,000 voting age are on voting lists.

Johnson ruled that the government could not sue the registrars who had quit before the suit was filed. He further held that the state was not suable under the Civil Rights Act which limits suits to individuals.

"When this suit was originally brought in federal court, the state of Alabama took a strong stand on our rights as a sovereign state, Patterson said Wednesday.

"It is our duty, in my opinion, to continue to resist all attempts by the federal government to encroach upon the rights of the states."

The governor said the case "grew out of unconstitutional meddling into our affairs by the Civil Rights Commission." He added:

"It shows the extreme to which the federal government will go in undermining the powers of a state under the guise of civil rights. I am pleased with the decision of the federal courts in this case and feel that it is a victory for our constitutional form of government."

Macon Case Ruling Pleases Patterson

Gov. John Patterson says the U.S. Fifth Circuit Court of Appeals vindicated Alabama's position when it ruled on the Macon County voter registration case.

The New Orleans court Tuesday upheld a ruling by U.S. Dist. Judge Frank M. Johnson Jr., of Montgomery, in throwing out a suit by the federal government against the Macon Board of Reg.

NO ONE LEFT TO BE SUED

Because Registrars Quit Posts Ala. Vote Suit Dismissal Upheld

Daily World Atlanta, Ga. Tues. 6-23-59

NEW ORLEANS, La. (NNPA)—Dismissal of the suit brought by the Attorney General of the United States to enjoin colored persons from being deprived of the right to vote in Macon County, Ala., was upheld Tuesday by the United States Fifth Circuit Court of Appeals.

The appeals court had been asked by the Justice Department to reverse the decision of Judge Frank M. Johnson Jr., in the Federal District Court at Montgomery, Ala., on March 6, dismissing the suit brought by Attorney General William P. Rogers.

The appeals court affirmed Judge Johnson's ruling that the 1957 Civil Rights Act did not give the Justice Department authority to sue a state and since two registrars named as defendants had resigned before the suit was filed there was no one left to be sued.

In the suit the Justice Department asked the District Court to enjoin the Macon County Board of Registrars and the two registrars named in the suit from practicing racial discrimination and denying qualified colored persons the right to register to vote.

The Department also named the State of Alabama in an amended complaint and asked a declaratory judgment holding certain acts and practices illegal.

After reciting the background of the case, the court of appeals upheld the ruling of Judge Johnson that the 1957 Civil Rights Act did not authorize a suit against a state and that the two individuals had lawfully resigned prior to the suit.

In an opinion by Chief Judge Joseph C. Hutcheson, Jr., the appeals court held that "it is sufficient for us simply to say that, under the principle which has been, and still is, controlling upon the federal courts, whatever Congress might or could do in providing in a civil rights action for conferring federal court jurisdiction over a state, it has never heretofore done so and it has not in terms done so in the statute invoked here."

Tuskegee Civic Unit To Seek U. S. Vote Registration Law

Special to The Post-Herald

TUSKEGEE, June 15—The Tuskegee Civic Assn. will launch a concerted effort to have Congress pass "an effective Federal law regulating voter registration" at a mass meeting called for tomorrow night here.

William P. Mitchell, TCA secretary, said the attempt is prompted "by the stalemate that has persisted in many Southern counties" regarding registration of voters.

Macon County has been without a board of registrars since last Dec. 10. Petitions, sent out by the TCA, have been signed by hundreds of individuals all over the country and the petitions will be forwarded by the TCA to the U. S. Senate and House of Representatives, Mitchell said.

Charles V. Hamilton, assistant professor of political science at Tuskegee Institute and chairman of the Political Education Committee of the TCA, will be the speaker at the tomorrow's meeting at Washington Chapel AME Church.

The association intends to conduct an intensive follow-up campaign to get a bill through the Congress, Mitchell said. Organizations and individuals throughout the country have been and will be contacted to encourage their congressional representatives to support this measure, he said.

Alabama Registrars Refuse Macon Post

MONTGOMERY, Ala. — (UPI) — Members of a new Macon County, Ala., board of registrars at Tuskegee have refused to serve for fear of being "hounded" by the U. S. Civil Rights Commission, Gov. John Patterson disclosed Thursday.

Daily World Atlanta, Ga. Sat. 6-27-59

Patterson ended several days of speculation about the status of the new three-man Macon board. He said each man he had chosen declined the appointment and added that finding people to serve is difficult.

The governor said he and his appointment board are seeking to name a "fair-minded" board of "competent citizens."

"Our job is difficult because of the unwarranted harassment by the federal government and part of the Civil Rights Commission. It is hard to ask a man to subject himself to such treatment as the previous board of registrars experienced in the past at the hands of the federal government," Patterson said.

There has been no board of registrars functioning in Macon County since last December.

Members of the former board resigned when the Civil Rights Commission sent investigators into the predominantly Negro county and scheduled hearings on complaints that Negroes were discriminated against and denied voting rights.

Gallion Promises Forceful Defense For Macon Board

Registrars Within Law Official Says

By DON McKEE
Advertiser Staff Writer

Alabama Atty. Gen. MacDonald Gallion said Saturday the full forces of his office will be available for "a vigorous defense" against a U.S. Justice Department suit which charges systematic denial of voting rights to Macon County Negroes by boards of registrars.

The suit, filed in U.S. District Court here Friday, seeks an injunction to halt the alleged denial of registration solely because of "race and color." It names two former members of the Macon board and any future board as defendants.

Gallion, preparing for his first states rights battle since taking office in January, said some of the charges contained in the Justice Department complaint "were under investigation by my office at the very time we were served with a copy of the complaint."

WITHIN LAW

"The preliminary investigation indicates that the former members of the board of registrars of Macon County acted in each case well within the registration laws of this state applying to all of its citizens without regard to color," Gallion said.

The attorney general had been investigating complaints of voting right denials in Macon for some time, a spokesman said. Letters had been received from some of the 20 Negroes listed in the suit as having been denied registration though allegedly qualified.

Gallion's office had "never been contacted" by any federal agency about complaints from Macon County, he said.

The attorney general called the suit "merely another example of the high-handed disregard being shown by federal authorities for the soverегn rights of the individual states."

He remarked that "some charges in the complaint appear too ridiculous to warrant comment."

VIGOROUS DEFENSE

"As attorney general the full forces of my office will be available for a vigorous defense of this matter and all other matters under similar attack, wherever the facts show that our laws were adhered to in the registration process," Gallion said.

And while he expects "to resist firmly such arrogant invasion of our rights," Gallion said, "we hope that federal authority will allow us to do so with the dignity the occasion demands and that an NAACP-inspired carnival show for Northern consumption will not be the result." This obviously was a reference to a December 1958 hearing of the U.S. Civil Rights Commission in Montgomery which was labeled a "circus" by some state officials because of the numerous television cameras set up in the hearing room.

AIDS DISPATCHED

After being served with a copy of the complaint Friday, Gallion immediately went into action, dispatching aides to Tuskegee for examination of the rejected applications referred to in the suit.

The petition charges that Macon registrars have "persisted for many years" in denying Negroes the right to vote. In a long list of accusations, the registrars are charged with failure and refusal to function as a registration board; keeping irregular and unreasonable office hours and use of "other evasive schemes" to prevent Negro registration; setting up more stringent standards for Negroes than for white applicants.

Macon County has no board of registrars at present and this is expected to figure prominently in the state's defense.

The Justice Department claims the two former members, state Rep. Grady Rogers and E. P. Livingston, cannot actually resign under "applicable law." State authorities disagree.

Rogers and Livingston quit after the December hearing by the rights commission began.

Livingston said Saturday, "I thought we were through with this thing" after a reported agreement reached last month by state officials and the commission whereby federal agents would be allowed to see voter records in Macon, Barbour and Bullock counties.

The defendants have 20 days from Friday in which to file answer to the complaint with U.S. District Judge Frank M. Johnson Jr.

A probable first course of action will be a motion for a dismissal of the suit, and part of the grounds for this motion probably will be the contention that Livingston and Rogers aren't members of the registrar board.

Gallion Moves To Quash Suit

Voter Registration Action 'Cannot Be Enforced'

TERMS OF ACT QUOTED

MONTGOMERY, Ala., Feb. 20.—(UPI)—Atty. Gen. MacDonald Gallion Friday moved to quash a Federal suit seeking voter registration for some 20 Macon County Negroes on grounds the suit cannot be enforced through the Civil Rights Act of 1957.

Mr. Gallion's motion contends the Justice Department suit, brought under a provision of the Civil Rights Act, cannot apply to the Macon Board of Registrars or to the State of Alabama.

"By the expressed terms of the act," the motion declares, "such action must be against individual persons who, under color of their respective state offices, subject some person to denial of Federal constitutional rights."

Filed With Johnson

Mr. Gallion's motion was filed with United States District Judge Frank M. Johnson Jr.

The suit named as defendants resigned Macon Registrars E. P. Livingston and Grady Rogers. The two men resigned Dec. 10, the day after the Civil Rights Commission ended its hearings on alleged Negro vote violations here.

The Justice Department claims the Alabama Code requires the two to continue to function as registrars until their successors are appointed.

But the attorney general's motion states that Mr. Rogers and Mr. Livingston resigned in good faith and have no intention of functioning again as registrars.

"There is no party or persons before this court against whom the requested relief can be granted," the motion declares.

Mr. Gallion also denied "there are reasonable grounds to believe" Mr. Rogers or Mr. Livingston or any person "are about to engage in any practice which would deprive any other person any right or privilege relating to voting rights."

Would Be 'Futile'

The motion contends that "any order of this court" in response to the Federal suit would be "premature, futile, ineffectual and without relief."

Mr. Gallion contends if Mr. Rogers and Mr. Livingston are ruled out as defendants "it appears that the party designated as the Board of Registrars of Macon County is in law and in fact the State of Alabama."

He charged the suit "undertakes to control the State of Alabama and its officers — and is, in effect, an action against the state and forbidden by the 11th Amendment to the Constitution."

Judge Johnson probably will consider all motions by Mr. Gallion at Monday's hearing.

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The justice department claims the Alabama code requires the two to continue to function as registrars until their successors are appointed.

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MOVE TO QUASH VOTE SUIT FILED

Alabama Attorney General Urges Action

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Gallion's motion contends the justice department suit, brought under a provision of the civil rights act, cannot apply to the Macon board of registrars or the state of Alabama.

"By the expressed terms of the act," the motion declares, "such action must be against individual persons, who under color of their respective state offices, subject some person to denial of federal constitutional rights."

EX-REGISTRARS NAMED

Gallion's motion was filed with United States district Judge Frank

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ALABAMA

JAN. 1959

CIVIL RIGHTS COMMISSION
MONTGOMERY, ALA.

Important Civil Rights Decision Scheduled Today

By REX THOMAS

MONTGOMERY, Ala., (AP) — Can race conscious Southern officials lawfully withhold evidence on Negro voting from the federal Civil Rights Commission?

A judge in U. S. District Court will answer that question following a hearing here Monday, but he won't have the final say-so. His ruling can be appealed, and the ultimate decision probably will come from the Supreme Court.

Challenging the authority of the Civil Rights Commission are an Alabama judge, George C. Wallace, and five present or former voter registration officils who refused to discuss Negro voting complaints at a commission hearing here Dec. 8-9.

Their defiance is based on the contention that the federal agency has no legal authority to question them about the performance of their duties. Registration officials in Alabama are designated by state law as judicial officers.

If they fail to convince U.S. Dist. Judge Frank M. Johnson Jr., at Monday's hearing that they are immune from questioning by the commission, they will be under court order once again to produce the requested evidence on Negro voting or risk jail sentences for contempt.

Johnson has already commanded them to respond to the commission subpoenas, but he delayed execution of his order to allow the defendants to explain their defiant stand.

No mater which way the judge rules, an appeal to higher courts would set it aside pending a review of the evidence.

since they have vacated the office, and the other three surrendered their files to the Clayton judge.

The commission hearing was called to investigate complaints that Negroes are denied the right to vote. Negro witnesses told of repeated unsuccessful attemps to register as voters even though some of them are college professors.

Voter Record Appeal Hearing Set Today

MONTGOMERY, Ala., Jan. 4 (AP) Can Southern officials lawfully withhold evidence on Negro voting from the federal Civil Rights Commission?

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Their defiance is based on the contention that the federal agency has no legal authority to question them about the performance of their duties.

If they fail to convince U.S. Dist. Judge Frank M. Johnson Jr. that they are immune from questioning by the commission, they will be under court order again to produce the requested

But if the courts ultimately rule against the Alabama officials, and if they persist in their refusal to respond to the commission's demands, they could be sent to jail.

Wallace became embroiled in the controversy after he impounded voter registration records in two counties, Barbourn and Bullock, then refused to surrender them under subpoena from the Civil Rights Commission.

A candidate for governor last spring, the young Clayton, Ala., judge didn't even show up at the commission hearing.

Five voter registrars — E. P. Livingston and Grady Rogers in Macon County; W. A. Stokes Sr., and J. W. Spencer in Barbour, and M. T. Evans in Bullock—refused to testify under oath. Livingston and Rogers later resigned.

Wallace argues that since he seized the registration files before they were subpoenaed, the government agency has no right to touch them.

The registrars contend they are immune from questioning about the conduct of their office because the law makes them judicial officers.

Like Wallace, they also are under subpoena to produce their records, but Livingston and Rogers no longer have access to them

evidence on Negro voting or risk jail sentences for contempt.

Johnson has already commanded them to respond to the commission subpoenas, but he delayed execution of his order to allow the defendants to explain their defiant stand.

CIVIL RIGHTS COMMISSION
MONTGOMERY, ALA.

Hearing set Monday—

Officials face showdown in vote list case

BY REX THOMAS

MONTGOMERY, Ala., Jan. 3—(AP)—Six defiant Alabama officials will try to convince a federal judge Monday that they were within their rights in withholding evidence from the U. S. Civil Rights Commission.

Unless they can show legal justification for refusing to testify at a commission hearing here Dec. 8-9 they will be under court order to produce what evidence they have on Negro voting, or risk jail terms for contempt.

The central figures in the most serious clash of Federal vs. State authority since the Little Rock school crisis are Circuit Judge George Wallace, a jurist in state court; three voter registration officials and two former voter registrars who resigned in the wake of the civil rights controversy.

WALLACE, WHO HAS impounded registration files in Barbour and Bullock Counties, ignored a Civil Rights Commission subpoena to produce them and refused even to appear at the hearing.

E. P. Livingston and Grady Rogers of Macon County; W. A. Stokes Sr., and J. W. Spencer in Barbour and M. T. Evans in Bullock answered their subpoenas but refused to testify under oath. Livingston and Rogers have resigned as registrars; the other three still hold office.

U. S. Dist. Judge Frank M. Johnson Jr., has already commanded the reluctant officials to comply with the commission demands, but they asked him to set the order aside, claiming immunity from the commission subpoenas. Johnson will hear arguments on that motion Monday.

WALLACE, who seized the registration records in Barbour and Bullock Counties before the civil rights agency asked for them, contends the federal government has no right to take the files out of his custody.

The registration officials, designated by Alabama law as judicial officers, likewise argue that the federal agency has no legal rights to question them about the performance of their duties.

Although the federal judge can send them to jail indefinitely if they persist in their defiance, there is no imminent threat of a contempt order because if he rules against the Alabama officials, they can appeal to higher courts.

THAT WOULD temporarily set aside any decree Johnson might issue. But if the appeal failed and the rebellious officials still refused to give evidence the civil rights commission wants, the district judge here could then inflict what punishment he might see fit.

The registration officials as well as Wallace are under subpoena to turn over voter registration files in their counties to the commission. But since Livingston and Rogers in Macon County have resigned, they no longer have access to the files. And the registrars in Barbour and Bullock have surrendered theirs to Wallace.

IRONICALLY, the Clayton, Ala., judge is working closely in the civil rights dispute with Alabama Atty. Gen. John Patterson, who defeated him for governor last Spring. Patterson takes office as the state's chief executive Jan. 19. Wallace was the runnerup.

The Civil Rights Commission is trying to determine whether Negroes have been denied the right to vote in Alabama. Negro witnesses who testified Dec. 8 and 9 said they had tried in vain to get their names on the voting list.

LOOK AT VOTING ROLLS GRANTED

Compromise Reached in Alabama Rights Case

By REX THOMAS

MONTGOMERY, Ala. (AP) — The U. S. Civil Rights Commission Monday won the right to look at voter registration files, but in turn abandoned its attempt to force Alabama officials to testify about Negro voting.

A compromise agreement that was reached by state and federal attorneys came while US district Judge Frank M. Johnson Jr. was waiting to start a hearing to determine whether the defiant officials were legally justified in withholding evidence from the commission last month.

The agreement allows federal agents to see whatever registration records in Barbour, Bullock and Macon counties they find to be relevant to the commission's inquiry into the alleged denial of voting rights to Negroes.

The inspection must be done where the records are kept. The commission previously had sought to compel registration officials to bring the files to Montgomery for a hearing Dec. 8 and 9.

Three registration officials and two former registrars who had refused to testify under oath at last month's hearing were excused from appearing before the commission.

Whatever evidence the federal agency gets under the compromise agreement, which was written into a court order by Judge Johnson, will come from the records and not from the oral testimony of the registrars.

Johnson stipulated that the time and place for commission investigators to look at the voting files must be mutually agreed upon to keep from interfering with proper judicial processes of the state.

The agreement and concurring court order applied only to the three counties. It made no mention of three others where registration records have been impounded by country grand juries. None of the officials in those counties refused to testify a the hearing here last month.

Col. A. H. Rosenfield, the commission's director of complaints, said agents would start immediately to inspect the records.

States Files Brief Against Rights Group

MONTGOMERY, Dec. 31 (AP)—A bulky document summing up reasons why state officials have refused to give evidence to the U. S. Civil Rights Commission was filed in Federal Court today.

Atty. Gen. John Patterson submitted the 74-page brief in advance of Monday's hearing before U. S. Dist. Judge Frank M. Johnson Jr. A similar outline of the legal issues involved was filed by U. S. Dist. Atty. Hartwell Davis.

Johnson has ordered six Alabama officials to make evidence available to the Civil Rights Commission about Negro voting in Alabama. But before making the decree final, he agreed to hear arguments on a motion asking him to set the order aside.

Patterson filed his brief on behalf of all six officials involved in the hearing. Two others joined in, former Gov. Chauncey Sparks on behalf of Circuit Judge George Wallace and Joseph Johnston of Birmingham as a "friend of the court," representing the Alabama Bar Assn.

The state's brief explained in legal terms why the defendants feel they are immune from questioning by the Federal commission.

RIGHTS GROUP TO VIEW FILES

Compromise Agreement Is Reached By Alabama Officials, Commission

MONTGOMERY, Ala. (AP) — The U. S. Civil Rights Commission Monday won the right to look at voter registration files, but in turn abandoned its attempt to force Alabama officials to testify about Negro voting.

A compromise agreement that was reached by state and federal attorneys came while U. S. Dist. Judge Frank M. Johnson Jr. was waiting to start a hearing to determine whether the defiant officials were legally justified in withholding evidence from the commission last month.

The agreement allows federal agents to see whatever registration records in Barbour, Bullock and Macon counties they find to be relevant to the commission's inquiry into the alleged denial of voting rights to Negroes.

Inspection.

The inspection must be done where the records are kept. The commission previously had sought to compel registration officials to bring the files to Montgomery for a hearing Dec. 8 and 9.

Three registration officials and two former registrars who had refused to testify under oath at last month's hearing were excused from appearing before the commission.

Whatever evidence the federal agency gets under the compromise agreement, which was written into a court order by Judge Johnson, will come from the records and not from the oral testimony of the registrars.

Stipulation.

Johnson stipulated that the time and place for commission investigators to look at the voting files must be mutually agreed upon to keep from interfering with proper judicial processes of the state.

The agreement and concurring court order applied only to the three counties. It made no mention of three others where registration records have been impounded by country grand juries. None of the officials in those counties refused to testify at the hearing here last month.

Col. A. H. Rosenfield, the commission's diector of complaints, said agents would start immediately to inspect the records.

Stennis Doubts New Rights Teeth

Substantial Change Called Unlikely

WASHINGTON, Jan. 4 (AP) — A member of the Senate's Southern bloc predicted today that the heavily-Democratic new 86th Congress will not approve any "substantial" new civil rights legislation.

The forecast was issued by Sen. John C. Stennis (D., Miss.) who also blasted as political trash what he called talk by some liberals of "liberating the South" through stronger civil rights legislation.

Stennis made the statement in a television interview on the eve of scheduled huddle of Southern Democratic Senators tomorrow to map strategy in their fight against a drive to water down the Senate's anti-filibuster rule.

Assistant Democratic Leader Mike Mansfield said the Sen-
Mike Mansfield said the Sen-
ate probably would require two or three weeks to settle the rules fight, scheduled to erupt on the opening day of the session Wednesday.

Mansfield predicted the lawmakers would follow up by passing some new civil rights legislation, notably bills to extend the Federal Civil Rights Commission and to outlaw hate bombings of churches, schools,

synagogues and other public buildings.

Stennis presumably would not regard these as "substantial" civil rights measures. The Southerners generally are resigned to extension of the Civil Rights Commission. Some of them also would vote for anti-bombing legislation if ways could be found to safeguard state police powers.

However, the Southerners vigorously oppose prospective Administration requests to give the Civil Rights Commission power to subpena voting records and to seek injunctions to safeguard civil rights generally.

The commission now is empowered only to investigate denials of voting rights to minority groups and to make recommendations to Congress for corrective legislation.

However, the first step in any drive to increase its powers must be modification of the anti-filibuster rule. The present rule, a potent Southern weapon, requires a vote of 66 Senators—or two-thirds of the total membership—to choke off rebate.

A bipartisan group of liberal Senators hopes to cut this margin to a simple majority of the membership, or 50 senators. Senate Democratic Leader Lyndon B. Johnson is pushing a compromise under which a two-thirds majority of Senators present and voting could end debate.

Stennis conceded that any substantial weakening of the anti-filibuster rule would seriously reduce the South's influence in the Senate.

But he said the issue was far broader because the Senate is "a forum where the states can express themselves — whe bare majority cannot snuff all the rights of the minoriti

"This rule hasn't lived because the South wanted it to," he said.

"It's lived because of its force and its logic and its reason and because the nation has wanted it."

The Mississippi senator said most of the pressure for stronger civil rights legislation "is purely political, partisan political effort, propaganda and catering to special groups."

* * *

Ala Proves Probe Needed

Nothing could more clearly prove the need of a probe by the Civil Rights Commission of the areas in the South, where Negroes have been overwhelmingly disfranchised, than the conduct of the state's attorney, the governor-elect, judges and registrars, who acted with such utter disregard for law when the Civil Rights Commission held its first investigation in the South at Montgomery (Ala.) a few weeks ago.

It isn't necessary to even name all the forms of defiance that were displayed, it should suffice to note that the defiance in this particular case was really a conspiracy of the important people in the state who are responsible for law and order. That these people by their conduct were willing to confess to violating the voting rights of the Negroes in their section, by refusing a simple investigation by a congressional committee, suggests not only the need of a Civil Rights Commission in this instance, but that said Commission should continue until all of the facts are gathered in all rebel states.

It is not being forgotten that the qualifications for voters are fixed by the state. But the 15th Amendment to the Constitution says: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."

But when the officials get to the point of open defiance of federal authority, in order to keep the facts of the records secret, the Commission and all other citizens wonder what they have to hide. The only way to find out, of course, is for the Commission to push the investigation until it gets the records and the facts.

Unfortunately, the people of Alabama have not recognized the facts of life. Their attitude is sure to give impetus to more civil rights legislation in the coming Congress. Their attitude is almost certain to cause the Congress to extend the life of the Civil Rights Commission. The defiance will not prevent the Civil Rights Commission from ultimately getting their records, and getting them to testify under oath.

All that results from the conduct of the officials of Alabama in this probe by the Civil Rights Commission is that generally over the country there arises the firm belief that there is something to be hidden, since the people go to such extent and take such risks to hide the records. Nobody is going to be content now with stopping the Civil Rights Commission, but everybody is going to feel that we must have a look to see what is buried down there in Alabama.

Rights Probe To Be Heard Today

By REX THOMAS

MONTGOMERY, Jan. 4 (AP)—Can Southern officials lawfully withhold evidence on Negro voting from the Federal Civil Rights Commission?

A judge in U. S. district court will answer that question following a hearing here Monday, but he won't have the final say-so. His ruling can be appealed, and the ultimate decision probably will come from the Supreme Court.

Challenging the authority of the Civil Rights Commission are an Alabama judge, George C. Wallace, and five present or former voter registration officials who refused to discuss Negro voting complaints at a commission hearing here Dec. 8-9.

Their defiance is based on the contention that the Federal agency has no legal authority to question them about the performance of their duties. Registration officials in Alabama are designated by state law as judicial officers.

If they fail to convince U. S. Dist. Judge Frank M. Johnson Jr., at Monday's hearing that they are immune from questioning by the commission, they will be under court order once again to produce the requested evidence on Negro voting or risk jail sentences for contempt.

Johnson already has commanded them to respond to the commission subpenas, but he delayed execution of his order to allow the defendants to explain their defiant stand.

No matter which way the district judge rules, an appeal to higher courts would set it aside pending a review of the evidence.

But if the courts ultimately ruled against the Alabama officials, and if they persist in their refusal to respond to the commission's demand, they could be sent to jail.

Wallace became embroiled in the controversy after he impounded voter registration records in two counties, Barbour and Bullock, they refused to surrender them under subpena from the civil rights agency.

A candidate for governor last Spring, the young Clayton, Ala., judge didn't even show up at the commission hearing.

Five voter registrars—E. P. Livingston and Grady Rogers in Macon County; W. A. Stokes Sr., and J. W. Spencer in Barbour, and M. T. Evans in Bullock refused to testify under oath. Livingston and Rogers later resigned.

Wallace argues that since he seized the registration files before they were subpenaed, the government agency has no right to touch them.

The registrars contend they are immune from questioning about the conduct of their office because the law makes them judicial officers.

Like Wallace, they also are under subpena to produce their records, but Livingston and Rogers no longer have access to them since they have vacated the office, and the other three surrendered their files to the Clayton judge.

The commission hearing was called to investigate complaints that Negroes are denied the right to vote. Negro witnesses told of repeated unsuccessful attempts to register as voters even though some of them are college professors.

GOV. ELECT JOHN PATTERSON JAN.1959
CIVIL RIGHTS COMMISSION
MONTGOMERY, ALA.

Patterson To Argue Against Court Order

MONTGOMERY (UPI)—Gov.-elect John Patterson goes into U. S. district court here Monday to argue why six defiant Alabama election officials should not be forced to testify before the Federal Civil Rights Commission.

The refusal of five registrars and Circuit Judge George Wallace of Clayton, Ala. to appear before the commission forced the federall agency to abruptly break off its probe of alleged discrimination against Negro voting rights in Alabama.

The investigation is the first of its kind by the commission which was established by Congress in 1957.

Patterson, present state attorney general and outspoken segregationist, is acting as counsel for Wallace, Macon County registrars Grady Rogers and E. P. Livingston, Barbour Registrars J. W. Spencer and W. A. Stokes Sr. and Bullock Registrar M. T. Evans.

The attorney general, youngest man ever to win the governor's chair in Alabama, contends the officials do not have to appear before the commission and produce voting records on grounds that the federal agency does not have the authority to examine state records or issue subpenas.

Wallace maintains he will not produce the records of Barbour and Bullock counties. He impounded them Oct. 29 after he allegedly received several complaints of election fraud in the spring Democratic primaries. The judge, who has threatened to jail any federal agents who try to get the vote records, refused to appear in person before the hearing here Dec. 8-9.

U.S. District Judge Frank M. Johnson Jr. ordered the Monday hearing after the rebellious election officials filed motions to quash his orders to appear at the commission hearing Jan. 9.

Commission Chairman John A. Hannah, president of Michigan State University, called on the Justice Department for help when several registrars refused to be sworn in or answer any questions other than their names and occupations in the December hearing.

Issues Aired By Patterson

Says State To Act On Behalf Of Registrars

HITS INTEGRATION PLAN

By United Press International

BIRMINGHAM, Ala., Jan. 4.—Gov.-Elect John Patterson said Sunday he felt that "more than a majority" of the state Democratic Executive Committee would back Senator Sam Engelhardt Jr. for the chairmanship of that policy-making group.

Mr. Patterson, appearing on a televised panel show (WAPI-TV's Alabama Press Conference), also indicated he felt there was more of a possibility of an Alabama walkout from the national Democratic Party should Montgomery attorney Frank Mizell be elected chairman.

The Governor-Elect discussed civil rights saying the state was "prepared to take all possible legal action" on behalf of county registrars and Circuit Judge George Wallace who are to show cause in Federal Court Monday as to why they should not produce their records for the Federal Civil Rights Commission.

Could Kill Funds

And he charged that the Rev. Martin Luther King could spund "the death knell" for additional public school funds "if he carries out his threat" of last week to press for school integration in Montgomery.

Mr. Patterson said he felt the Executive Committee was one on which his Administration should have some say. "I feel certain that more than a majority of the committee will vote for Engelhardt when it meets Jan. 19," he said.

In answer to a question, he said the possibilities of a walkout was never brought up at a caucus last September when anti-loyalty oath members pledged to support Mr. Mizell. "The leaders of the caucus studiously avoided issues that should have been brought up," he said.

Alabama Should Fight

He said he felt Alabama should "fight within the party to curb radical elements instead of walking out, which could mean the loss of our positions of seniority in Congress, Federal money, military bases and other things."

He said he favored the private school plan proposed by Atty. Gen.-Elect MacDonald Gallion.

Patterson Goes To Court Today

He Will Argue Why State Officials Needn't Testify Before Rights Group,

By United Press International

MONTGOMERY, Ala., Jan. 3. — Gov.-elect John Patterson will go into United States District Court here Monday to argue why six defiant Alabama election officials should not be forced to testify before the Federal Civil Rights Commission.

The refusal of five registrars and Circuit Judge George Wallace of Clayton, Ala., to appear before the commission forced the Federal agency to break off its probe of alleged discrimination against Negro voting rights in Central Alabama.

First Of Its Kind

The investigation is the first of its kind by the commission which was established by Congress in 1957.

Mr. Patterson, present state attorney general, is acting as counsel for Judge George Wallace, Macon Registrars Grady Rogers and E. P. Livingston, Barbour Registrars J. W. Spencer and W. A. Stokes Sr. and Bullock Registrar M. T. Evans.

The attorney general, youngest man ever to win the Governor's chair in Alabama, contends the defiant officials do not have to appear before the commission and produce voting records because the Federal agency does not have the authority to examine state records or issue subpenas.

Judge Wallace maintains he will not produce the records of Barbour and Bullock counties. He impounded them Oct. 29 after he allegedly received several complaints of election fraud in the spring Democratic primaries. The jurist, who has threatened to jail any Federal agents who try to get the vote records, refused to appear in person before the hearing here Dec. 8-9.

Called For Help

United States District Judge Frank M. Johnson Jr. ordered the Monday hearing after the rebellious election officials filed motions to quash the jurist's orders to appear at the commission hearing Jan. 9.

Commission Chairman John A. Hannah, president of Michigan State University, called on the Justice Department for help when several registrars refused to be sworn in or answer any questions other than their names and occupations in the December hearing.

U.S. Agents To Comb 3 Counties' Vote File

Compromise Plan Calls For On-Spot Inspection

By BOB INGRAM

Agents of the U.S. Civil Rights Commission will move into three South Alabama counties Tuesday to inspect voter registration records seeking evidence to substantiate charges that Negroes have been denied the right to vote.

The commission secured the right to see the records in a court order issued here Monday after the federal agency agreed to abandon its efforts to force Alabama officials to testify about Negro registration.

U.S. District Judge Frank M. Johnson Jr. issued an order to that effect following a morning-long huddle with federal and state officials where the compromise was conceived.

Specifically, Judge Johnson ordered registration officials in Macon, Barbour and Bullock counties to open their records to civil rights agents—the same records which had been defiantly denied them earlier.

PLAN NOT DISCLOSED

Where the agents would go first was not disclosed, as a commission spokesman explained that the agency was required by law from divulging such information.

Johnson's order in opening the voter records in the three counties to the commission contained the concession that the commission would call a halt to its efforts to force the balky registration officials to produce the records before the commission in hearing.

In this concession to the state Johnson stipulated that the inspection of the records by the agents must be made "in the various counties and at the places where the records are kept."

He further ordered that the inspection "shall not interfere with the proper judicial processes of the State of Alabama."

Johnson also specified that the inspection be limited to registration records in the three counties that "are relevant to the commission's inquiry."

This left open to conjecture just what records might be "relevant" and which records might not be.

Johnson's order relative to an inspection of the records within the county involved — rather than a hearing in Montgomery—completely exonerated the voter officials who earlier had steadfastly refused to bring any of their records to the hearing here.

In fact, it had been the refusal of the officials to produce the records—coupled with their same refusal to testify—which resulted in the case reaching federal court.

The commission, through the Justice Department, had secured a court order from Johnson compelling six of the officials to produce the records from the three counties involved.

In turn, attorneys for the white officials, headed by Gov.-elect John Patterson, called on Johnson to set aside his order. It was on Patterson's petition to set aside that Monday's hearing was originally called, but this hearing never came about.

At 10 a.m. Monday it was announced that the hearing had been delayed to 10:30, then to 10:45, then no more was heard until 11:27 a.m. when it was announced that the litigation had been disposed of in a compromise.

VICTORY FOR COMMISSION

In the final analysis it appeared that the compromise was a victory for the commission.

Last fall when commission agents moved into Alabama they sought to look at the registration records of Macon County in Macon County. Acting on the advice of Patterson, the Macon Board refused to make the records available. Mondays order did just that, thus the order gave to the commission what it had wanted all along.

Faring better than Patterson in the compromise was Judge George C. Wallace of Barbour, one of the officials named in Johnson's original order.

Wallace pointedly refused to comply with the Civil Rights Commission subpoena, even to the point of not appearing at the hearing. He did so on the grounds that as a judicial officer his actions were not subject to review by the commission.

At no time did Wallace say the commission agents could not see the records in his circuit, but he threatened to arrest any agent who sought to remove them from any of the counties in his circuit.

Wallace's stand was upheld in Judge Johnson's order.

Despite the apparent victory for the commission, Patterson and the battery of attorneys working with him in representing Wallace and the five registrars, issued a joint statement claiming the compromise "adequately protects the interests and dignity" of the officials.

"We have nothing to hide and our public officials have performed their duties in a legal and proper manner, treating all citizens equally and impartially," the statement said.

Carlton Approves Record Compromise

TAMPA, Fla (AP) — Doyle E. Carlton of Tampa, member of the U.S. Civil Rights Commission, said Monday that the voter registration file compromise reached in Alabama is "a very satisfactory solution."

Carlton, former governor of Florida, said he thought the compromise "will work out very well and I don't think anyone will suffer. It will enable the commission to get the information which it is required to get under the law."

'QUORUM' DUE

Commission Will Return Here Friday

The U.S. Commission on Civil Rights is going ahead with plans to hold another hearing here at 9 a.m. Friday on allegations that Negroes have been denied the right to vote in certain Alabama counties.

Commission officials said plans for the scheduled hearing have not been changed by the issuance of a new federal court order which limits inspection of voting records by commission investigators to the counties where they are maintained.

Exactly how the hearing will be conducted was not made clear.

STOREY ON TOUR

At the first hearing Dec. 8-9, voting officials were ordered to appear before the Commission and submit records.

Monday's court order apparently denies the commission the right to examine the out-of-county records. here.

Dr. John Hannah, president of Michigan State University and chairman of the six-man commission, said at least four and possibly five of the members will attend the hearing. Four members are required for a quoroum.

Hannah explained that Dr. Robert Storey, vice chairman of the Commission who presided at the December hearings, is on a tour of India and cannot be present. He said there "is some question" as to whether another member, former governor John Battle of Virginia, can attend.

Hannah said he had been extremely busy Monday as students were registering for a new term at MSU and that he had not read or heard any accounts of the compromise reached here between state officials and the federal Justice Department.

He said he did not plan to "inquire" into the events which took place in federal court here Tuesday morning.

When voting officials refused to produce records or testify at the first commission hearing, U.S. District Judge Frank Johnson ordered them to comply at a commission sub-committee meeting here Dec. 29. The sub-committee meeting was cancelled and a full commisson meeting was cancelled and a full commission meeting set when Judge Johnson agreed to hear the contention of state officials that as judicial officers under state law, registration officers were exempt from the subpoenas.

In Washington, a commission spokesman said that the agency does not investigate any matter unless a specific complaint is received. The complaint must be sworn to on a proper form before it will be considered, he said.

Commission staff members in Washington probably will arrive here Thursday, he said.

Wallace Mum On Agreement Over Records

Circuit Judge George C. Wallace Monday declined to comment on a federal court order based on a compromise agreement between state and federal officials regarding voting records.

Wallace, who defied a federal subpoena last month to produce voting records at a hearing of the U.S. Commission on Civil Rights in Montgomery, said: 'I don't have any statement to make."

Although Wallace was in Montgomery Monday he failed to attend a scheduled hearing before U.S. District Judge Frank M. Johnson Jr. on whether Alabama officials could legally withhold information on voting sought by the commission.

"I just happened to be in Montgomery but I did not attend the court hearing," the Clayton judge said.

He said former governor Chauncey Sparks of Eufaula represented him in the talks which produced the compromise.

Wallace indicated he might make a statement "on the record" later this week.

The subpoena which Wallace defied was issued after he had

impounded voting records of Barbour and Bullock counties.

The subpoena ordered him to appear before the Civil Rights Commission Dec. 8, bringing with him the impounded records of the two counties.

His case was being considered separate from those of five registration officials

LEGAL COUNSEL FOR VOTER OFFICIALS

Gov.-elect John Patterson and an impressive array of legal talent represented Alabama voter registration officials here Monday when a compromise plan in the raging civil rights controversy was reached. The legal counsel included (from left): Archie Grubb, former Supreme Court Justice Preston Clayton, former Gov. Chauncey Sparks, State Sen. L. K. (Snag) Andrews, Joseph F. Johnston, Roy Marcato (Patterson publicity man), Gov.-elect Patterson, Asst. Atty. Gen. Ralph Smith and Circuit Solicitor Seymore

COMPROMISE JANUARY 1959
CIVIL RIGHTS COMMISSION
MONTGOMERY, ALABAMA

Compromise Opens Voting Files In Alabama To Rights Commission

MONTGOMERY, Ala. (AP) The U. S. Civil Rights Commission Monday won the right to look at voter registration files, but in turn abandoned its attempt to force Alabama officials to testify about Negro voting.

A compromise agreement that was reached by state and federal attorneys came while U. S. Dist. Judge Frank M. Johnson Jr. was waiting to start a hearing to determine whether the defiant officials were legally justified in withholding evidence from the commission last month.

The agreement allows federal agents to see whatever registration records in Barbour, Bullock and Macon counties they find to be relevant to the commission's inquiry into the alleged denial of voting rights to Negroes.

The inspection must be done where the records are kept. The commission previously had sought to compel registration officials to bring the files to Montgomery for a hearing Dec. 8 and 9.

Three registration officials and two former registrars who had refused to testify under oath at last month's hearing were excused from appearing before the commission.

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Johnson stipulated that the time and place for commission investigators to look at the voting files must be mutually agreed upon to keep from interfering with proper judicial processes of the state.

The agreement and concurring court order applied only to the three counties. It made no mention of three others where registration records have been impounded by county grand juries. None of the officials in those counties refused to testify at the hearing here last month.

Col. A. H. Rosenfield, the commission's director of complaints, said agents would start immediately to inspect the records.

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JANUARY 1959
CIVIL RIGHTS COMMISSION
MACON COUNTY

Macon Vote Files Checked By Agent

Report Due On Findings Late Today

An investigator for the federal Civil Rights Commission spent the day in Tuskegee Tuesday examining records of the Macon County Board of Registrars in accordance with the terms of the agreement reached Monday between state and federal officials.

A. H. Rosenfeld, director of complaints, information and surveys for the commission, arrived at the Macon County courthouse about 9 a.m. and was met by former county registrars Grady Rogers and E. P. Livingston, the latter told The Advertiser Tuesday night. After a few minutes Circuit Solicitor Tom Young, Alexander City, joined the group and opened the locked-up records, of which he has custody, for inspection, Livingston said.

Also present during the examination of records was County Solicitor Ed Reynolds.

CALLED IT A DAY

At about 4 p.m. Rosenfeld decided to call it a day, but he said he was not through looking over the records and would be back Wednesday, Livingston said.

Rosenfeld told an Advertiser correspondent that he would have a "report" Wednesday at the conclusion of his examination of the Macon County records.

It could not be determined definitely whether agents of the commission went to Clayton Tuesday to examine Barbour and Bullock County records which are in the custody of Circuit Judge George C. Wallace. Apparently, they did not.

Circuit Clerk James Teal and Probate Judge Marshal Williams said that to their knowledge no agents showed up.

There was a question as to whether the records could have been examined even if the agents had gone to Clayton as Judge Wallace was out of town. The judge has the records impounded pending a grand jury investigation of alleged voting irregularities.

In Tuskegee Livingston said of himself and Rogers:

"We are merely assisting Mr. Rosenfeld in the work he is doing, which was agreed to."

Asked exactly what records Rosenfeld was examining, Livingston replied that "he's investigating records pertinent to the hearing which was held in Montgomery."

He said Rosenfeld was looking over registration applications, but he would not say whether they were those of applicants who had been denied registration.

Livingston said there was no crowd, no spectators at all as Rosenfeld conducted his examination.

The Macon County officials were acting in accordance with the terms of an order signed Monday by U.S. District Judge Frank M. Johnson Jr. after a compromise agreement was reached between U.S. attorneys and those representing Judge Wallace, Rogers, Livingston and three other county voter registration officials.

AGREE TO CONCESSION

The order modified a former order of Judge Johnson, requiring the six officials to appear before the commission on Friday to testify and bring their records, so that the officials would not be required to testify at that time. But in return for this concession on the part of commission attorneys, Atty. Gen. John Patterson and the battery of lawyers for the state officials agreed to follow the commission investigators to examine any records "relevant to the commission's inquiry" into alleged discrimination against Negroes attempting to register to vote in Macon, Barbour and Bullock counties.

Such examinations should be conducted "in a manner consistent with proper preservation and use of the records by state authorities" and in the counties in which they are kept, the order said.

Judge Johnson retained jurisdiction in the case "for application on behalf of the commission to the court for more specific orders with respect to production of records and testimony of custodians of records and respondents."

The judge called on both sides to make a report to him on Friday in regard to fulfillment of the stipulations of the order and agreement.

The commission is holding a meeting in Montgomery on Friday and it is assumed that the results of the examinations of the records will be reported to them at that time.

Gallion Tuesday declined to comment on the federal court order permitting Civil Rights Commission agents access to voter registration records in Macon, Bullock, and Barbour counties.

However, he intimated he would be taking an active role in the legal conflict between the federal agency and state and county officials after he takes office as top state legal official later this month.

Said Gallion, questioned on his reaction to the federal court order:

CIVIL RIGHTS COMMISSION IN SESSION

The Civil Rights Commission met here Friday to hear a report from its agents on voter registration in Macon County. Commission members are (from left) John S. Battle, Doyle Carleton, chairman John A. Hannah, J. Ernest Wilkins and Father Theodore Hesburgh. Seated with back to camera are from left, Gordon Tiffany, A. H. Rosenfeld, Burton Stevenson and Berl I. Bernhard, all of the commission staff. Court reporter Charles Barnes is at center.
—Staff Photo By Joe Holloway Jr.

CIVIL RIGHTS COMMISSION
MONTGOMERY, ALA.

Despite state victory claims—

U. S. rights probers still may question Alabama officials

Birmingham News

BY FRED LAYLOR, News staff writer

MONTGOMERY, Ala., Jan. 6—Federal Civil Rights Commission agents were ready today to move into Barbour, Bullock and Macon Counties to inspect voter registration records, but whether they can question registrars about Negro voting complaints is a matter of controversy.

The commission was authorized, by a compromise agreement signed yesterday by Federal Judge Frank M. Johnson Jr., to send agents out to look at the records without removing them from the custody of the registration officials.

The commission agents are seeking evidence in the records to bolster complaints Negroes have been denied voting rights in the three Black Belt counties.

The compromise agreement, reached after more than two hours of conferences between state and federal attorneys, was hailed as a victory for Circuit Judge George Wallace and five registration officials. They termed the decree a vindication of their stand.

HOWEVER, today there appeared to be a difference of opinion on two points involved in the agreement:

1. Can the investigators question registration officials about Negro voting complaints?

2. Can the registration officials be subpoenaed and brought back before the commission for further questioning by commission members?

Patterson and the registration officials view the agreement as relieving them of being forced to testify before the commission, as had been sought by the U. S. Department of Justice. They were told they would not have to surrender voter files to the commission.

HOWEVER, Judge Johnson ordered the records made available. And while a previous order directing the officials to appear before the commission here Friday was held in abeyance, Johnson retained jurisdiction.

By retaining jurisdiction, Johnson can order the officials to testify.

A commission spokesman said last night the agency may still seek to question the registration officials—despite the compromise—if agents fail to obtain the desired information about Negro voting

A. H. Rosenfeld, the commission's director of complaints, said the agency may ask U. S. Dist. Judge Frank M. Johnson Jr. to order the registrars to answer questions.

"We have not relinquished the right to question officials," he said.

The commission will meet in Montgomery at 9 a.m. Friday to consider information expected to be gathered by its agents. Rosenfeld said the agents would begin the inspection today.

HOWEVER, THE compromise agreement stipulated that only "relevant" voting records would be inspected, provided "that said inspection of the records shall not interfer with the proper judicial processes of the state of Alabama."

Judge Wallace was in Montgomery yesterday, but did not attend the huddles in the federal building. Wallace was represented by former Gov. Chauncy Sparks of Eufaula.

Wallace declined to comment on the compromise agreement but indicated he would have something to say later.

Atty. Gen. John Patterson, Alabama's governor-elect, and former Gov. Chauncy Sparks, representing Judge Wallace, together with other attorneys representing the voting officials, issued this statement:

"We feel that this order adequately protects the interests and dignity of the State of Alabama and its public officials.

"We have nothing to hide and our public officials have performed their duties in a legal and proper manner, treating all citizens equally and impartially.

"THE COURT order is a vindication of those that have made this fight to protect our constitutional rights.

"This order takes the place of all former orders issued by the court. It cancels the broad and sweeping subpoenas of the Civil Rights Commission, relieves the state officials from testifying at the Civil Rights Commission hearing, and from surrendering their records to the federal government."

Meanwhile, two members of the commission, former Gov. Doyle E. Carlton of Florida and former Gov. John S. Battle of Virginia, said the compromise appeared reasonable to them.

Carlton said the agreement between federal and state officials about access to the voter records is a "very satisfactory solution." He predicted it "will work out very well."

"It will enable the commission to get the information which it is required to get under the law," he said.

Battle said the compromise "looks like a very reasonable solution to the matter." He said he doubts that he will be able to attend Friday's commission session.

ANOTHER statement released by attorneys for the federal government said "the rights and obligation of the United States and the State of Alabama are accommodated" by the agreement.

Besides Patterson and Sparks, other attorneys signing this joint statement were Joseph F. Johnston of Birmingham, representing the State Bar Assn.; State Sen. Lawrence K. Andrews of Union Springs, representing the Macon County Board of Registrars, Asst. Atty. Gen. Ralph Smith Jr. and Ted Rinehart; former State Sen. Preston Clayton, Archie Grubb and Seymour Trammell, all of Barbour County and Asa Rountree III.

Alabamians To Disclose Vote Records

Alabama officials backed off from their position of defiance yesterday and agreed to let the Civil Rights Commission examine their voting records.

The records are needed to enable the Commission to evaluate charges that Alabama Negroes have been illegally denied the right to register and vote solely because they were Negroes. White officials refused to produce the records at a hearing last month when Negro complainants testified.

The agreement was worked out by Justice Department lawyers and attorneys for local voting officials in a 2-hour meeting at Montgomery, Ala., yesterday and was signed into a court order by Federal Judge Frank M. Johnson.

It provides that the Commission may examine records at the Barbour, Bullock and Macon County Courthouses sometime before Friday, when the Commission plans a second Montgomery hearing to take testimony from the white registrars.

The agreement seemed a complete reversal of the position taken by the county registrars last month when, on the advice of Gov.-elect John Patterson, they refused even to take the oath as witnesses.

Yesterday, with Patterson still acting as their lawyer, they won the argument that the records should not be taken out of their counties to Montgomery. But they yielded on the larger point whether the Federal Commission should be permitted to look at them at all.

One reason advanced for Patterson's reversal was that his position of unyielding defiance had backfired to some extent even in Alabama. Newspapers in Montgomery, Birmingham and elsewhere had criticized the refusal to testify as leaving a one-sided record with no defense or explanation of the Alabama action.

Room for Argument Left

Judge Johnston's order directs the three counties to make available records that are "relevant to the Commission's inquiry." The Commission and local officials might argue over what is "relevant." They have already agreed that one set of relevant records will be Negro registration applications, which will show whether they correctly answered questions. The Commission probably wants to compare these with some white voter registration forms to decide whether there had been discrimination between the races.

On Dec. 11, two days after the Commission broke off its hearing and asked the Justice Department to seek an order of compliance, Judge Johnson directed five defiant registrars and a State judge to appear before the Commission to testify and produce records.

Yesterday's order modified the original. It said nothing about testifying at Friday's hearing. But Johnson said his Court would retain jurisdiction of the case to issue more specific orders if necessary.

The Commission was created by the 1957 Civil Rights Act to appraise the status of civil rights generally and specically to investigate charges that voting rights have been denied because of race. The Alabama hearing was its first.

At the December hearing, 36 Negroes, most of them college graduates from the Negro college center of Tuskegee in Macon County, told of standing in line for days to try to register, of being forced to copy whole articles of the Constitution and then not being told that they had failed.

34e 1959

TEXT OF COURT ORDEI FORCING FILES OPEN

Text of the federal court order decreeing that the Civil Rights Commission be allowed to inspect voter registration records of Barbor, Bullock, and Macon counties, but only in the counties where the records are kept, is as follows:

ORDER FOR EXAMINATION OF RECORDS

This cause coming on to be heard on the motions of respondents to set aside or amend the order entered herein on Dec. 11, 1958, pursuant to the order herein dated Dec. 17, 1958, and the same having been submitted on affidavits as to certain facts filed on behalf of respondents, and the same having been considered and discussed by counsel for all the parties and for the State Bar of Alabama as Amicus Curiae, in open court.

It is ordered, adjudged, and decreed that the order heretofore issued on Dec. 11, 1958, be, and it is, by agreement of counsel, hereby modified to read as follows:

1. The Commission on Civil Rights and its authorized agents has the right to inspect official voter registration records of the State of Alabama in Barbour, Bullock, and Macon counties to the extent that same are relevant to the commission's inquiry and in a manner consistent with proper preservation and use of the records by state authorities. The inspection of the records should be carried out by the commission's representatives in the various counties and at the places where the records are kept.

2. To the end that said inspection of the records shall not interfere with the proper judicial processes of the State of Alabama, the times and places of inspection of the records by the commission's representatives should be mutually agreed upon between the custodians of the records and the representatives of the commission.

3. Opportunity for the inspection described above in paragraph 1 and 2 herein shall be afforded and actual inspection of the records designated herein shall be accomplished prior to Jan. 9, 1959.

4. The jurisdiction of this cause is retained for application on behalf of the commission to the court for more specific orders with respect to production of records and testimony of custodians of records and respondents.

Done this 5th day of January, 1959.

Frank M. Johnson Jr., United States District Judge

ALABAMA

TEXT OF FEDERAL COURT DECREEING THAT THE CIVIL RIGHTS COMMISSION BE ALLOWED TO INSPECT VOTER REGISTRATION RECORDS OF BARBOUR, BULLOCK AND MACON COUNTIES

Rights Probers To Place Agents On Stand Today

Registrars' Role Unsure At Hearing

The Civil Rights Commission will place four of its own staff members on the stand as witnesses as the commission continues its hearings on Negro voting complaints in Alabama Friday.

The hearing is scheduled for 10 a.m. at the Post Office—Federal Building. The room will be the same one used in December hearings—the U.S. Court of Appeals hearing room.

A commission spokesman, in announcing basic plans for the hearing, said the commission will report on its investigation in three Alabama counties to the Department of Justice which will in turn report to U.S. District Judge Frank Johnston, in accordance with Johnson's request in a court order Monday.

RELEASED BY ORDER

This report will come "sometime between tonight and tomorrow," the spokesman said late Thursday.

Whether any state officials will be called to testify at the hearing was not disclosed. The officials, some of whom refused to testify or produce records at the December hearings, were released by this week's court order from the earlier directive that they appear before the commission or face contempt charges.

That order was set aside, temporarily at least, by an agreement which gave the federal officials access to voter registration records in three counties where Negroes have charged discrimination — Macon, Barbour and Bullock.

Investigators went to Macon Monday, Tuesday and Wednesday to examine and photograph voter records. They went to Barbour and Bullock Thursday to examine records in the custody of Circuit Judge George Wallace. Whether the federal agents saw the records could not be ascertained Thursday night. A commission spokesman declined comment on this question, as did Judge Wallace.

Barbour County Circuit Clerk James Teal said the federal agents arrived about 9 a.m. and "they had not seen any records three hours later." Teal said the courthouse officers closed at noon on Thursday and he went home then.

Circuit Solicitor Sam LeMaistre of Eufaula said he was in Clayton until after 2 p.m. and he had understood that Wallace was "going to go through the records and let them see the records he thought were relevant" to the investigation. However, he said he didn't know whether they actually saw any records.

To be called as witnesses, the spokesman said, are A. H. Rosenfeld, director of complaints, information and surveys for the commission; Berl I. Bernhard, staff attorney; Burton Stevenson, legal assistant to former Gov. Doyle Carton of Florida, a commission member; and Charles Clark, legal assistant to Civil Rights Commissioner Robert Storey.

Five of the six members of the commission are in Montgomery or the hearing. Missing will be Storey, dean of the Southern Methodist University law school, which is out of the country.

Present will be Carlton, who will preside at Friday's sessions, Chairman John A. Hannah, president of Michigan State University; J. Ernest Wilkins, former assistant secretary of labor; former Gov. John S. Battle of Virginia; and the Rev. Theodore M. Hesburgh, president of Notre Dame University.

The commission spokesman confirmed that the commission met behind closed doors Thursday night at Maxwell Air Force Base, where the members are quartered.

However, he called it a "regular monthly meeting" and said they "did not just consider this matter." Other routine items, such as the report of the information section, were handled, he said.

DAY IN LENGTH

The meeting should not run over one day in length, he said.

The possibility of an executive, or closed session, was raised Thursday night. If any testimony might be considered "detrimental to anyone," the committee can, under the law which created it, go into closed session to hear that testimony.

Whether such action will be taken would be speculation, he said.

If the commission decides it still wants to question registration officials, it will have to ask Judge Johnson for another court order.

And since the defendants have pleaded immunity under a state law which designates registrars as judicial officers, they can appeal to higher courts if Johnson instructs them to appear before the commission.

Commission spokesmen said the civil rights investigators might want to question the state officials if they fail to get the information they want from the records themselves.

The clash of federal vs. state authority exploded during the hearing Dec. 8-9 when state authorities declined to produce subpoenaed registration records, and five registrars refused even to testify under oath.

A sixth state official, Circuit Judge George Wallace of Clayton, didn't even show up at the hearings although he had been subpoenaed to surrender registration records he had impounded in two of the counties — Barbour and Bullock.

REFUSED TO ANSWER

Registrars E. P. Livingston and Grady Rogers in the third county, Macon; W. A. Stokes Sr., and J. W. Spencer in Barbour and M. T. Evans in Bullock refused to answer questions, claiming the commission had no legal authority to ask them about their conduct of office.

Subsequently, Livingston and Rogers resigned their jobs, but Stokes, Spencer and Evans stayed on as registrars in their counties.

Johnson in federal court ordered the records produced and the witnesses to testify, and then set a hearing for last Monday when state authorities claimed immunity from questioning.

No one wants to serve—

Macon registrar jobs go begging

BY REX THOMAS, Associated Press writer

MONTGOMERY, Ala., Feb. 14—(AP)—The state senator who represents Macon County says the current breakdown in voter registration machinery in Macon County may go on for months to come.

If that happens, no prospective new voter, white or Negro, can be registered [illegible] in order to do it.

Veteran Sen. A. K. Andrews, grimly apprehensive over the outcome, said the recent intervention of federal authorities has left white residents of the county more reluctant than ever before to serve on the Board of Registrars.

And there's little likelihood that the three state officials who appoint the registrars would ever consider putting Negroes in the job.

ANDREWS, a Union Springs attorney and brother of Congr. George Andrews, said much of the same fearful attitude exists in Bullock County, which also is in his senatorial district. Both Bullock and Macon were among the counties where complaints of discrimination against would-be Negro voters were investigated by the U. S. Civil Rights Commission.

"We'll have trouble getting people to serve," the legislator predicted. "I haven't had a single person ask me to help get him appointed since I was elected the first time."

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Sen. James S. Clark of Barbour County, where the civil rights inquiry also centered, said he, too, expects more difficulty in getting registrars there than in previous year.

Much depends, said Clark, on the outcome of the federal Justice Department suit which seeks a federal court order prohibiting Macon County authorities from refusing to register "qualified Negroes."

But in the other three counties caught in the civil rights investigation — Dallas, Lowndes and Wilcox—their senators disavow any thought of trouble in getting registrars to serve.

SENS. WALTER C. GIVHAN of Dallas, Carl Golson of Lowndes and Roland Cooper of Wilcox say their people are determined to hold the line in voter registration and are willing to take the consequences.

Lowndes and Wilcox, although predominantly Negro in population, have no Negro voters.

Registrars in Barbour, Bullock and Lowndes have already lost one tussle with federal agents. A federal judge forced local authorities to let the civil rights investigators look at their records.

The same judge, Frank M. Johnson Jr., will hear the Justice Department's complaint against Macon County. If Johnson grants the injunction the federal government is asking, registrars who might serve in the future could conceivably face contempt action every time they failed or refused to register a Negro who insisted he was "qualified."

Even without such a court order in force, Macon County—where Negroes, many of them college educated, outnumber white residents nearly 6-1—has gone without a functioning Board of Registrars as long as 18 months in the past.

The last two remaining board members, E. P. Livingston and State Rep. Grady Rogers, resigned two months ago and no one has been able to register there since then because no new registrars have been named.

JUSTICE DEPARTMENT at-

torneys contend Livingston and Rogers cannot give up the office; that under Alabama law they hold on until their successors are appointed. State's attorneys say that argument is ridiculous.

That raises the possibility of a federal court order directing the registrars to stay on. But could the courts compel them to function as registration officials against their will?

And what effect would that have on another section of Alabama law which says the state appointing board can fire registrars "at any time," with or without cause and without even giving a reason?

Would the federal courts rule they cannot be fired?

Those are the uncertainties, Andrews says, which make it difficult to get a new board in Macon County — assuming, of course, that Livingston and Rogers don't have to remain in office until someone is found to replace them.

ANDREWS EXPECTS BREAKDOWN

Macon Senator Forecasts Voter Registration Lull

Montgomery Advertiser

By REX THOMAS
AP Staff Writer

The state senator who represents Macon County says the current breakdown in voter registration machinery in Macon County may go on for months to come.

If that happens, no prospective new voter white or Negro can be registered, unless perhaps he can get a court order to do it.

Veteran Sen. E. K. Andrews, grimly apprenhensive over the outcome, said the recent intervention of federal authorities has left white residents of the county more reluctant than ever before to serve on the board of registrars.

And there's little likelihood that the three state officials who appoint the registrars would even consider putting Negroes on the job.

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Alabamans Face Rights Test Monday

MONTGOMERY, Ala., Jan. 3 — Six defiant Alabama officials will try to convince a federal judge Monday that they were within their rights in withholding evidence from the U.S. Civil Rights Commission.

Unless they can show legal justification for refusing to testify at a commission hearing here Dec. 8-9, they will be under court order to produce what evidence they have on Negro voting, or risk jail terms for contempt.

The central figures in the most serious clash of federal vs. state authority since the Little Rock school crisis are Circuit Judge George Wallace, a jurist in state court; three voter registration officials, and two former voter registrars now resigned in the wake of the civil rights controversy.

* * *

WALLACE, WHO has impounded registration files in Barbour and Bullock counties, ignored a Civil Rights Commission subpoena to produce them and refused even to appear at the hearing.

E. P. Livingston and Grady Rogers of Macon County; W. A. Stokes, Sr. and J. W. Spencer in Barbour and M. T. Evans in Bullock answered their subpoenas but refused to testify under oath. Livingston and Rogers have resigned as registrars; the other three still hold office.

U.S. Dist. Judge Frank M. Johnson Jr. already has commanded the reluctant officials to comply with the commission demands, but they asked him to set the order aside, claiming immunity from the commission subpoenas. Johnson will hear arguments on that motion Monday.

* * *

WALLACE, WHO SEIZED the registration records in Barbour and Bullock counties before the civil rights agency asked for them, contends the federal government has no right to take the files out of his custody.

The registration officials, designated by Alabama law as judicial officers, likewise argue that the federal agency has no legal rights to question them about the performance of their duties.

Although the federal judge can inflict what punishment he might see fit.

The registration officials as well as Wallace are under subpoena to turn over voter registration files in their counties to the commission. But since Livingston and

That would temporarily set aside any decree Johnson might issue. But if the appeal failed and the rebellious officials still refused to give evidence the Civil Rights Commission wants, the district judge here could then in-

send them to jail indefinitely if they persist in their defiance, there is no imminent threat of a contempt order because if the rules against the Alabama officials, they can appeal to higher courts.

Agents Find Co-Operation In Vote Probe

Civil Rights Commission agents apparently are finding Alabama voting officials cooperative as they go about their task of inspecting vote registration records in three counties as authorized under a recent court order.

Joseph M. F. Ryan, second-in-command of the Justice Department's Civil Rights Division, said today he expected to have no complaints to make to Federal Judge Frank M. Johnston when he reports to him in Montgomery, Ala., tomorrow. Also under orders to report to the judge at the same time, is Gov.-elect John M. Patterson, who as Alabama's Attorney General had advised voting officials not to produce the records or testify before the commission although subpoenaed.

Hearings by the commission into complaints of voting right violations are to resume the same day.

Under terms of an agreement reached by Mr. Ryan and Mr. Patterson, with court approval, commission agents are to inspect the records in the counties rather than have them brought to the commission. If the testimony of voting officials is felt to be necessary after the inspection, the court has held the door open, under the settlement, for further application by the Government to force such testimony.

Mr. Ryan said the settlement terms under which the testimony aspect is held in abeyance figures to save time in that needless pressing of the subpoena issue might have led to a prolonged appellate court battle.

The settlement was regarded in Justice Department circles as in keeping with Attorney General Rogers' policy of avoiding needless controversy in civil rights matters if the ends can be achieved amicably at the local level.

WALLACE JOHNSON

t. jail for contempt of court for persisting in their refusal to respond to commission demands.

Registrars Won't Testify Unless U.S. Presses Order

MONTGOMERY, Ala. (AP)—Alabama voter registration officials won't have to testify before the U.S. Civil Rights Commission unless a federal judge issues another court order.

An earlier decree commanding defiant registrars in three counties to appear before the commission here Friday was modified Monday under a compromise agreement which gave the federal agency access to the registration records in three counties.

U.S. Distract Judge Frank M. Johnson Jr. put the agreement into force and ordered the files in Barbour, Bullock and Macon counties made available to commission agents.

Federal investigators set out Tuesday to inspect the files to see what light they may shed on complaints that Negroes have been denied the right to vote.

The compromise agreement waived the preceding court order which directed five registrars to before the commission at its meeting Friday. But the way was left open for Johnson to issue a new mandate for them to testify if the civil rights agency requested it.

Before he could do that, however, the judge would have to rule on the reluctant witnesses' claim of immunity. They contend that because Alabama law designates them as judicial officers, they cannot be questioned about their conduct of office.

Johnson's ruling could be appealed to higher courts, and that might delay a final ruling long enough to keep the registrars from testifying for seferal weeks, or months.

A commission spokesman, A. H. Rosenfeld, said the federal agency probably will ask the registration officials to testify if its agents fail to get what information they need on the question of the registrars' immunity Monday. But the hearing was called off by the compromise agreement between state and federal attorneys.

Vote Argument Set Tomorrow

Atty. Gen John Patterson, Alabama's governor - elect, will appear in federal court here Monday in an attempt to convince a federal judge that Alabama judicial officers can legally withhold evidence on Negro voting.

U.S. District Judge Frank M. Johnson will hear arguments in behalf of six defiant state officials who claim they have a legal right to withhold such evidence from the federal Civil Rights Commission.

Challenging authority of the commission are Judge George C. Wallace, and five present or former registration officials who refused to discuss Negro voting complaints at a commission hearing here Dec. 8-9.

PATTERSON

They claim the agency has no legal right to question them about the manner in which they perform their jobs. Under Alabama state law they are designated judicial officers.

Judge Johnson's job will be to answer the question of authority. His ruling can be appealed, however, and the final decision probably will come from the U.S. Supreme Court.

Regardless of how he rules, an appeal can set the decision aside for subsequent ruling of the high tribunal.

But if the final ruling is against Alabama officials they could go voter registration records in two counties, Barbour and Bullock. He refused to surrender them under subpoena from the commission.

DELAYED ORDER

Johnson earlier commanded officials to produce the records but delayed execution of the order so they could explain their stand.

The five voter registrars to appear in court here Monday are E. P. Livingston and Grady Rogers in Macon County; W. A. Stokes Sr. and J. W. Spencer of Barbour, and M. T. Evans Jr. Bullock.

All five refused to testify under oath. Livingston and Rogers later resigned.

The federal agency met here in December to investigate complaints that Negroes are denied the right to vote.

Negro witnesses, many of them college professors and college-trained professional people, testified they made numerous attempts to register but were unsuccessful.

JANUARY, 1959
CIVIL RIGHTS COMMISSION
JUDGE GEORGE C. WALLACE

Johnson Sets Dates, Hours For Viewing

By BOB INGRAM

U.S. District Judge Frank M. Johnson Jr. Friday overruled Circuit Judge George C. Wallace's claim of judicial immunity and ordered him to let Civil Rights Commission agents see voter registration records in Barbour and Bullock counties.

Specifically, the federal judge instructed Wallace to make the records available to the agents between the hours of 10 a.m. and 4 p.m. Monday and Tuesday. And to make certain there would be no further delay, Judge Johnson called a hearing in his court at 9:30 a.m. next Wednesday for a progress report on the probe.

Judge Johnson's lengthy but clearcut order was issued less than three hours after the Civil Rights Commission disclosed that Wallace had refused to make available to them the voting records in Barbour and Bullock counties which he impounded last fall.

This refusal came in spite of an apparent agreement reached here Monday in which state officials agreed to open the records in Mason, Barbour and Bullock counties.

Commission Chairman John A. Hannah, who released the commission's statement to the [illegible] said the agency had previously agreed" to report to the Justice Department the refusal of Wallace to comply with Judge Johnson's Monday order.

Almost immediately the Justice Department moved into action. Less than an hour after the commission's announcement the Justice Department petitioned Judge Johnson for a new order, and two hours later the order was issued.

The order by Johnson left Wallace with practically no place to go. He must either comply with the order or refuse to comply and face an almost certain contempt citation from the stern Judge Johnson, a contempt citation which could very likely result in a jail sentence.

The crux of Friday's case resolved into the meaning of the word "relevant" as used in Monday's order by Judge Johnson.

In his Monday decree Johnson ordered that the officials in the three counties make available to the Civil Rights agents voting records "relevant to the inquiry" being made.

However, when agents contacted Wallace in Clayton Thursday he insisted that the only records "relevant" were those relating to the registration or attempted registration of Negroes who had filed complaints with the Civil Rights Commission.

As such, Wallace made available the applications of but two Negroes, although the agents had sought to see all records for the past three years.

Judge Johnson left no doubt as to the meaning of the word "relevant" in his order Friday—he said it meant all the voting and registration records "in the custody of said George C. Wallace."

Johnson also noted that his order Monday had been a compromise worked out between federal and state officials which at that time had been "accepted by George C. Wallace by and through his counsel without objection."

The federal judge said it had been his understanding the order would be carried out "fully and in good faith."

"It now appears that Wallace has not and still refuses to carry out the said agreement," Johnson observed. He added that this refusal came despite the fact that Wallace's own counsel had advised him to comply with the order.

Later, members of the battery of lawyers representing Wallace and ther other registrars—including Gov.-elect John Patterson—declined to comment on Wallace's refusal to heed their advice.

While Judge Johnson minced no words in ordering Wallace to show the records to the agents, he painstakingly answered the numerous legal questions raised in the litigation and cited many cases to support his decision.

On one point Johnson held there was "no concept of judicial immunity which relieves him (Wallace) of this requirement (to produce the records.)"

Wallace had claimed that his act of impounding the records could not be challenged, and Johnson did not take issue with this.

"No act need be or is questioned," Johnson said in regarding to the impounding but nonetheless the records must be made available, the judge held.

NOT JUDICIAL

Johnson also ruled emphatically that members of the Board of Registrars were not judicial officers and as such "there is no valid basis for registrars to refuse to testify."

While handing down the order against Wallace, Judge Johnson cancelled an earlier court order against members of the Macon Board of Registrars because they had "in good faith carried out the agreement" reached last Monday.

But he made it clear that the registrars in Barbour and Bullock counties named in the original suit — M. A. Evans, J. W. Spencer and M. T. Evans—must make themselves available for testimony before the Civil Rights Commission if the commission wants to question them.

IN ERROR

This phase of the order made it quite clear that the earlier contention of the Alabama officials that the commission had abandoned its efforts to supboena the registrars was completely in error.

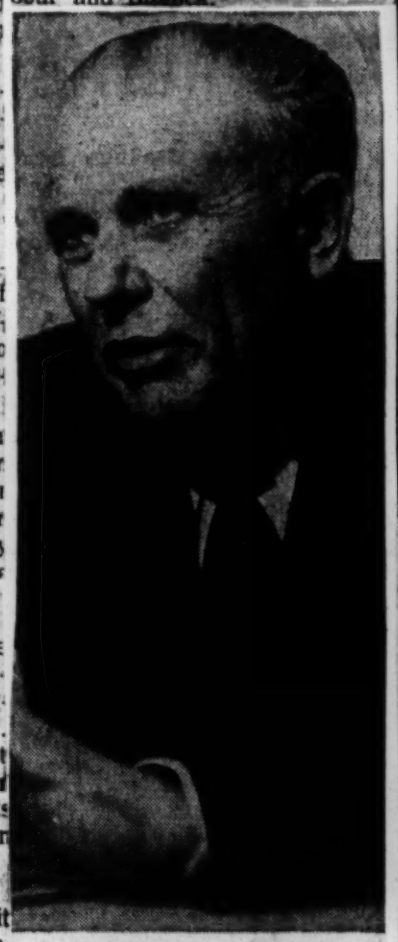
As Commissioner Chairman Hannah himself said in a press conference Friday, the compromise reached here Monday was "just what we wanted in the first place."

Hannah also said that had the voter records been made available to commission agents last fall as requested "there never would have been any hearing in Montgomery."

Judge Johnson's court order far overshadowed the morning session of the Civil Rights Commission which met for two hours behind closed doors.

Five of the commission members were present for the session —Hannah, John S. Battle, Doyle Carleton, Father Theodore Hesburgh and J. Ernest Wilkins.

Their sole purpose of meeting here was to be given reports from four Civil Rights agents who since Monday had studied the voter records in Macon and tried in vain to do the same thing in Barbour and Bullock.



CHAIRMAN HANNAH
Meets With Newsmen

WALLACE DISCUSSES ORDER WITH ATTORNEY
Preston Clayton (Right) And Wallace In Huddle

TEXT OF STATEMENT BY RIGHTS PROBERS

Here is the full text of the statement issued by the Civil Rights Commission here Friday following its closed-door meeting:

"**THE COMMISSION** met in Montgomery for two reasons. Its regular meeting had been scheduled for Jan. 8 in Washington. Inasmuch as Judge Johnson had set today as the deadline for Alabama officials to make voting records available to the representatives of the Commission for Macon, Barbour and Bullock counties, and it seemed that it might be desirable for the Commission to take testimony from those having custody of the voting records, it was decided to convene this meeting in Montgomery instead of Washington.

★ ★ ★ ★ ★

"**OUR REPRESENTATIVES** have reported to us that they have received cooperation from Macon County officials and it has not been necessary for the Commission to take testimony from them.

"Circuit Court Judge George C. Wallace has not made available to our representatives the records for Barbour and Bullock counties that are now in his custody and that we desire to have made available to us for our information.

"The Commission has notified the Attorney General of the United States that the Barbour and Bullock county records have not been made available to the Commission as ordered by the U.S. District Court for the Middle District of Alabama on Jan. 5.

★ ★ ★ ★ ★

"**THE RECORDS** are needed by the Commission for its report to the President and the Congress which it is required under the act of Congress which created it.

"Section 102 (e) of Public Law 85-315 that created this commission provided that: 'If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness.

"In accordance with this provision and requirement of the law the Commission [redacted] session to receive [redacted] the voting records [redacted]

34e 1959

Wallace, 5 Others Are Not 'Immune'

Federal Judge Can Still Summon Balky State Officials To Testify

BY DONALD F. MARTIN

MONTGOMERY, Jan. 6 (UPI)—If the Civil Rights Commission fails to secure the information it wants from voter registration records in three Central Alabama counties, six defiant state officials will be ordered to testify before the Federal agency, United Press International learned tonight.

An informed source said the "compromise" agreement between the commission and the State of Alabama did not declare Circuit Judge George Wallace from [illegible] in Macon, Barbour and Bullock counties immune from testifying before the commission.

The source said the agreement quite plainly states that the issue is still in the hands of U. S. District Judge Frank M Johnson Jr."

Article four of the agreement, signed by Johnson shortly before noon Monday, states: "The jurisdiction of the cause is retained for application on behalf of the commission to the court for more specific orders with respect to production of records and testimony of custodians of records and respondents."

The source said this means if the commission fails to examine the records or does not get all the records it wants, the Federal agency will ask Johnson to order Wallace and the registrars to appear before the commission.

The source said it was his "understanding" that Johnson would issue such an order if the commission agents are rebuffed in their efforts to accumulate the information they want.

The source said "the agreement signed by Johnson is quite plain in meaning and nothing can be read into it. The agreement gives the right to the commission to examine the records where they are kept in the counties and if the commission does not get the records then Johnson will take over.

"The only phrase which possibly could be misconstrued," the source added, "pertains to what information is relevant to the commission inquiry. Both parties agreed to the interpretation that this meant all records pertaining to vote discrimination."

A spokesman for the state admitted the case "remains in the hands of Judge Johnson and the issue of testimony lies in abeyance."

The state source said the issue probably would be settled at a commission subcommittee hearing here Friday "should the civil rights investigators fail to get the information they want and ask the judge to order such information be produced for the commission."

The state spokesman added Johnson would have to consider the original objections made by Alabama to the registrars and Wallace testifying.

Confusion over what the agreement actually means came after Gov.-Elect John Patterson and his legal advisors issued a statement which said "this order (the agreement) takes the place of all former orders issued by the court. It cancels the broad and sweeping subpenas of the Civil Rights Commission, relieves the state officials from testifying at the Civil Rights Commission hearing, and from surrendering their records to the Federal government."

The government source said the agreement does not mention the issue of whether the officials must testify.

Meantime, a check of the county seats in Macon, Barbour and Bullock counties showed none of the investigators had arrived in the three probate judges' offices to check the records by late Monday afternoon.

Probate Judge Lynn Jinks Sr. of Union Springs said, "No one has been here to see me and I couldn't give them the records anyway. They have been impounded by Circuit Judge George Wallace and I just don't have the records."

The office of Probate Judge Marshall J. Williams of Clayton reported no agents appeared there and that the records were

ALABAMA

locked up by Wallace.

Macon Probate Judge William Varner said no investigators had appeared in Tuskegee.

Wallace, registered at a local hotel, would make no comment. He said he had not seen any civil rights agents and that none had contacted him.

Wallace Is Mum On Court Order

Won't Say If He'll Hand Over Voting Records

U.S. EYES ON ALABAMA

By United Press International

MONTGOMERY, Ala., Jan. 11.—National attention focused Sunday on whether Circuit Judge George Wallace would comply with his third Federal Court order to hand over voter registration records to the Civil Rights Commission.

Judge Wallace was ordered by United States District Judge Frank M. Johnson Jr. to produce the records of Barbour and Bullock counties by 4 p.m. Tuesday, but he was remaining silent on whether he would obey the order.

Claims Non-Co-Operation

Judge Wallace, who has threatened any Federal agent who tries to get the records, said the commission would not co-operate with him in its probe of alleged Negro voter discrimination in central Alabama.

He said the vote probe could be likened to a "Roman holiday investigation surrounded by a circus atmosphere."

The Federal judge called a hearing for 9:30 a.m. Wednesday to find out whether his orders have been carried out.

Judge Johnson issued the order after the commission said Judge Wallace refused to turn the records over to Federal agents as set forth in a compromise agreement signed Monday by the Federal agency and counsel for the state of Alabama.

Mr. Wallace apparently has three alternatives:

Comply with the order.

Request a stay of execution of the order for an appeal.

Refuse to produce the records and face a possible jail sentence for contempt of court.

Won't Comment

Judge Wallace said he had not seen the court order and "therefore I will not comment on it."

He said "The Civil Rights Commission's statement that it received no co-operation from me is false. I received no co-operation from the Commission."

Judge Wallace said although Judge Johnson's order, directing him to permit agents to see such records "as are relevant," was entered in his court at Clayton, Ala., before noon Jan. 8, "no efforts were made by the commission agents to contact me until Jan. 8."

CIVIL RIGHTS COMMISSION

CIRCUIT JUDGE GEORGE WALLACE

U.S. ORDER IGNORED

Vote Quiz Judge Risks Jail Term

CLAYTON, Ala., Jan. 12 (AP)—Circuit Judge George Wallace, admittedly inviting a jail sentence, ignored a federal court order today and refused to hand voter registration records to the U.S. Civil Rights Commission.

Wallace, with an avowed willingness to "face the consequences," turned the records in Barbour County over to a hurriedly summoned county grand jury. He left it up to the 18 jurors to say whether the federal agents get to see the files as part of their investigation of alleged denial of voting rights to Negroes.

Four hours after it was empaneled, the jury said commission agents had been invited to "examine these records jointly with us."

The report said the agents rejected the offer.

Wallace thus faced the risk of a federal jail term for contempt of court because the commission investigators didn't get to see the requested registration files.

He acknowledged that possibility when he told the jury he was ready to "face the consequences."

A. H. Rosenfeld, director of the commission's bureau of complaints, said he and other agents refused to look at the records "because we have no authority to deal with the grand jury. Our authority is to deal with Judge Wallace."

Another grand jury is expected to be empaneled in adjoining Bullock County tomorrow to take custody of the registration records there.

Wallace, who previously had impounded the records in both counties and refused to surrender them to the federal government, was ordered by U. S. Dist. Judge Frank M. Johnson last Friday to make the files available between 10 a.m. and 4 p.m. today and Tuesday.

Johnson, who can send Wallace to jail for contempt, had nothing to say about today's developments. He had already called a hearing for Wednesday morning to determine whether his order was carried out.

The federal judge first ordered Wallace to make the records available to civil rights agents a week ago. The defiant Wallace refused, offering to produce only the files on four Negroes who had complained to the commission that they were denied the right to vote.

Alabama Judge Defies U.S. Court on Vote List

CLAYTON, Ala., Jan. 12 (AP) — A defiant Alabama judge turned Barbour County's voter registration records over to a county grand jury today in the face of a Federal Court order to let Federal agents see them.

Circuit Judge George C. Wallace left it up to the grand jury to determine whether agents of the Civil Rights Commission will be able to inspect the records in connection with the Commission's investigation of Negro voting complaints.

Wallace is expected to call another grand jury into session in Bullock County Tuesday to turn custody of that county's records over to the jurors.

He is under Federal court order to make the registration files available to Commission investigators between 10 a. m. and 4 p. m. today and Tuesday in both counties.

Wallace told the grand jury here that he is "willing to face the consequences" if his action brings a citation for contempt of Federal Court.

Civil rights agents who had come here to look at the records were in the courtroom when the Alabama judge gave the grand jury custody of the registration files. They refused to discuss the matter with newsmen.

Wallace explained to the jurors that he had impounded the records weeks ago on complaints of irregularities in registration and that he wanted to clear it up before he leaves office next Monday.

His brother, Jack Wallace of Clayton, will succeed him as judge.

Judge Wallace ran for the Governorship in the Democratic primaries last spring and didn't seek reelection to the bench. He was runnerup to Gov.-elect John Patterson.

In Montgomery, U. S. District Judge Frank M. Johnson Jr., who issued the order for the 39-year-old Clayton judge to produce the records, declined to comment on the newest development in the clash between state and Federal authority.

Wallace made it clear to the grand jury that he was leaving the issue up to the 18 members.

Rights Probers To Place Agents On Stand Today

Registrars' Role Unsure At Hearing

The Civil Rights Commission will place four of its own staff members on the stand as witnesses as the commission continues its hearings on Negro voting complaints in Alabama Friday.

The hearing is scheduled for 10 a.m. at the Post Office-Federal Building. The room will be the same one used in December hearings—the U.S. Court of Appeals hearing room.

A commission spokesman, announcing basic plans for the hearing, said the commission will report on its investigation in three Alabama counties to the Department of Justice, which will in turn report to U.S. District Judge Frank Johnson, in accordance with Johnson's request in a court order Monday.

RELEASED BY ORDER

This report will come "sometime between tonight and tomorrow," the spokesman said late Thursday.

Whether any state officials will be called to testify at the hearing was not disclosed. The officials, some of whom refused to testify or produce records at the December hearings, were released by this week's court order from the earlier directive that they appear before the commission or face contempt charges.

That order was set aside, temporarily at least, by an agreement which gave the federal officials access to voter registration records in three counties where Negroes have charged discrimination — Macon, Barbour and Bullock.

Investigators went to Macon Monday, Tuesday and Wednesday to examine and photograph voter records. They went to Barbour and Bullock Thursday to examine records in the custody of Circuit Judge George Wallace. Whether the federal agents saw the records could not be ascertained Thursday night. A commission spokesman declined comment on this question, as did Judge Wallace.

Barbour County Circuit Clerk James Teal said the federal agents arrived about 9 a.m. and "they had not seen any records three hours later." Teal said the courthouse officers closed at noon on Thursday and he went home then.

Circuit Solicitor Sam LeMaistre of Eufaula said he was in Clayton until after 2 p.m. and he had understood that Wallace was "going to go through the records and let them see the records he thought were relevant" to the investigation. However, he said he didn't know whether they actually saw any records.

To be called as witnesses, the spokesman said, are A. H. Rosenfeld, director of complaints, information and surveys for the commission; Berl I. Bernhard, staff attorney; Burton Stevenson, legal assistant to former Gov. Doyle Carton of Florida, a commission member; and Charles Clark, legal assistant to Civil Rights Commissioner Robert Storey.

Five of the six members of the commission are in Montgomery for the hearing. Missing will be Storey, dean of the Southern Methodist University law school, which is out of the country.

Present will be Carlton, who will preside at Friday's sessions, Chairman John A. Hannah, president of Michigan State University; J. Ernest Wilkins, former assistant secretary of labor; former Gov. John S. Battle of Virginia; and the Rev. Theodore M. Hesburgh, president of Notre Dame University.

The commission spokesman confirmed that the commission met behind closed doors Thursday night at Maxwell Air Force Base, where the members are quartered.

However, he called it a "regular monthly meeting" and said they "did not just consider this matter." Other routine items, such as the report of the information section, were handled, he said.

DAY IN LENGTH

The meeting should not run over one day in length, he said.

The possibility of an executive, or closed session, was raised Thursday night. If any testimony might be considered "detrimental to anyone," the committee can, under the law which created it, go into closed session to hear that testimony.

Whether such action will be taken would be speculation, he said.

If the commission decides it still wants to question registration officials, it will have to ask Judge Johnson for another court order.

And since the defendants have pleaded immunity under a state law which designates registrars as judicial officers, they can appeal to higher courts if Johnson instructs them to appear before the commission.

Commission spokesmen said the civil rights investigators might want to question the state officials if they fail to get the information they want from the records themselves.

The clash of federal vs. state authority exploded during the hearing Dec. 8-9 when state authorities declined to produce subpoenaed registration records, and five registrars refused even to testify under oath.

A sixth state official, Circuit Judge George Wallace of Clayton, didn't even show up at the hearings although he had been subpoenaed to surrender registration records he had impounded in two of the counties — Barbour and Bullock.

REFUSED TO ANSWER

Registrars E. P. Livingston and Grady Rogers in the third county, Macon; W. A. Stokes Sr., and J. W. Spencer in Barbour and M. T. Evans in Bullock refused to answer questions, claiming the commission had no legal authority to ask them about their conduct of office.

Subsequently, Livingston and Rogers resigned their jobs, but Stokes, Spencer and Evans stayed on as registrars in their counties. Johnson in federal court ordered the records produced and the witnesses to testify, and then set a hearing for last Monday when state authorities claimed immunity from questioning.

Voter Files In Alabama Open to U.S.

But Officials Won't Testify

MONTGOMERY, Ala. (AP) — The U. S. Civil Rights Commission Monday won the right to look at voter registration files, but in turn abandoned its attempt to force Alabama officials to testify about Negro voting.

A compromise agreement that was reached by state and federal attorneys came while U. S. Dist. Judge Frank M. Johnson Jr. was waiting to start a hearing to determine whether the defiant officials were legally justified in withholding evidence from the commission last month.

The agreement allows federal agents to see whatever registration records in Barbour, Bullock and Macon counties they find to be relevant to the commission's inquiry into the alleged denial of voting rights to Negroes.

OFFICIALS EXCUSED

The inspection must be done where the records are kept. The commission previously had sought to compel registration officials to bring the files to Montgomery for a hearing Dec. 8 and 9.

Three registration officials and two former registrars who had refused to testify under oath at last month's hearing were excused from appearing before the commission.

Whatever evidence the federal agency gets under the compromise agreement, which was written into a court order by Judge Johnson, will come from the records and not from the oral testimony of the registrars.

MUST AGREE

Johnson stipulated that the time and place for commission investigators to look at the voting files must be mutually agreed upon to keep from interfering with proper judicial processes of the state.

The agreement and concurring court order applied only to the three counties. It made no mention of three others where registration records have been impounded by country grand juries. None of the officials in those counties refused to testify at the hearing here last month.

Col. A. H. Rosenfield, the commission's director of complaints, said agents would start immediately to inspect the records.

U. S. WINS ACCORD ON ALABAMA LISTS

Gains Right to Scan Voter Rolls but Drops Move to Force Officials to Testify

MONTGOMERY, Ala., Jan. 5 (AP)—The United States Civil Rights Commission won the right to look at voter registration files today. In turn, however, it abandoned its attempt to force Alabama officials to testify about Negro voting.

A compromise agreement reached by state and Federal attorneys came while United States District Judge Frank M. Johnson Jr. was waiting to start a hearing to determine whether the defiant officials were legally justified in withholding evidence from the commission last month. Judge Johnson wrote the compromise into a court order.

The agreement allows Federal agents to see registration records in Barbour, Bullock and Macon Counties that they find to be "relevant to the commission's inquiry" into the alleged denial of voting rights to Negroes.

But the inspection must be done "in the various counties and at the places where the records are kept." The commission had previously sought to compel registration officials to bring the files to Montgomery for a hearing Dec. 8 and 9.

Evidence From Records

Three registration officials and two former registrars who had refused to testify under oath at last month's hearing were excused from appearing before the commission.

Whatever evidence the Federal agency gets under the

compromise agreement will come from the records and not from the oral testimony of the registrars.

Judge Johnson stipulated that the time and place for commission investigators to look at the voting files must be "mutually agreed upon" between state and Federal officers to keep from interfering with the state's "proper judicial processes."

The order stipulated that arrangements to get access to the files must be made by Friday, the date originally set by the judge for registration officials to produce the records before the commission in Montgomery.

Prompt Inspection Set

The agreement and concurring court order applied only to the three counties. It made no mention of three others where registration records have been impounded by county grand juries. None of the officials in those counties refused to testify at the hearing here last month.

Col. A. H. Rosenfeld, the civil rights commission's director of complaints, said agents would start immediately to inspect the records.

Today's hearing was first delayed thirty minutes then fifteen minutes additional while attorneys for the Government and the Alabama officials huddled in the office of United States Attorney Hartwell Davis, reportedly seeking an agreement.

WALLACE ORDERED TO PRODUCE FILES

Jurist Won't Be Called On For Testimony

Registrars May Face Summons, U. S. Judge Says

BY DONALD F. MARTIN

MONTGOMERY, Jan. 9 (UPI)—U. S. Dist. Judge Frank M. Johnson Jr. today ordered Circuit Judge George Wallace to produce registration records no later than Jan. 13 in the Civil Rights Commission investigation of alleged violations of Negro voting rights.

Johnson issued the order after the commission declared that Judge Wallace of Clayton refused to turn over voter records in Barbour and Bullock Counties.

The Federal judge ruled that Wallace would not be compelled to testify before the commission on grounds the Federal agency does not have the authority to question the actions of a state judge.

He ruled that Wallace did not have to testify because of "judicial immunity."

Johnson set a hearing Jan. 14 to see if Wallace produces the records as ordered.

The Federal jurist also retained jurisdiction in the case and said the registrars of Bullock and Barbour Counties would be required to testify before the commission if the Federal agency says such information is necessary to its inquiry.

"Any objection on the part of the registrars to testifying before the commission by this order are overruled and denied," he said.

However, Johnson said the two resigned Macon County registrars, E. P. Livingston and Grady Rodgers, were dismissed from the case.

"They acted in good faith by showing the records to the commission and the cause against them is hereby dismissed," he said.

Ralph Smith Jr., legal adviser to Gov.-Elect John Patterson, said Johnson's order "dismisses the state from the case. It is now up to George Wallace."

In making his ruling, Johnson said that state charges the investigation was an "'invasion of state sovereignty and states' rights' is without merit and cannot stand."

The commission had asked the Justice Dept. to act. Chairman John A. Hannah, president of Michigan State University, declared Wallace refused to turn the voter records of Barbour and Bullock over to Federal Investigators.

"Our men spent two days trying to get the records," said Hannah, "but Judge Wallace gave us precious little. He did not make the records available to us as ordered by the U. S. District Court in Montgomery.

"Therefore, we have called on the U. S. attorney general in Washington for help in making the Barbour and Bullock County records available to us in our inquiry so that we may make our report to the President and Congress as required by law."

Wallace could not be reached for comment.

Hannah refused to give any details how Wallace rebuffed the Federal agents.

He said the commission investigators reported "they received the full co-operation of Macon County officials in securing voter registration records."

Negroes outnumber whites four-to-one in Macon and most of the complaints filed with the commission came from the central Alabama county, home of Tuskegee Institute.

The commission and the State of Alabama, represented by Patterson, signed an agreement Monday to let Federal agents examine the records in three counties "at the convenience" of local officials and in a manner so that it "would not interfere with the judicial process of the state."

He turns records over to hurriedly called Grand Jury

BY TRUDY CARGILE, News staff writer

CLAYTON, Ala., Jan. 12—Circuit Judge George C. Wallace today defied a federal court order by turning Barbour County voter registration records over to a Grand Jury rather than waiting investigators for the U. S. Civil Rights Commission.

In doing so, Wallace told the jury "I am willing to take the consequences in my action brings a citation for contempt of federal court."

The Grand Jury was hurriedly called this morning by Judge Wallace with instructions that it be empaneled by 10 a.m. At 11 a.m. Wallace placed the records in the jury's hands with instructions that "'reported irregularities" be investigated.

The jury recessed for lunch shortly before 1 p.m. without letting commission agents look at the records. It was due back at 2 p.m.

WALLACE HAD been ordered last Friday by Federal Judge Frank M. Johnson to make the registration records of Bullock and Barbour Counties available to Civil Rights Commission agents between 10 a.m. and 4 p.m. today and tomorrow.

The judge left it up to the jury to determine whether commission agents may inspect the records in connection with the commission's investigation of Negro voting complaints.

In the presence of Civil Rights Commission agents, Wallace reminded the 18-man panel that he had had the records impounded on Oct. 28 on the sworn complaint by a Crews Johnson, alleging misrepresentation, fraud and perjury.

"Since I'm going out of office Jan. 19, the time has come to follow through on this action. I do not think this matter should be left in the lap of my successor."

The Barbour Grand Jury has only the voting record of that county. However, it is expected that Wallace will call a special session of the Bullock County Grand Jury tomorrow in duplicate action.

"YOURS IS an investigative body," Wallace told the jurors. "Therefore, the records are yours. After you've gone into the matter, whatever you do will be the decision of you 18 men.

"I have no apologies to make for that which I have done," he added, "I feel that I have acted on principles."

"When I turned the Board of Registrars records over to you, I realize I have no control over them any longer. That is your business. Not even the circuit judge of the Third District nor the circuit solicitor has any control over them," he said.

Wallace further sated that if the Grand Jury wants to turn the records over to others, that is their privilege to do so.

Agents for the Civil Rights Commission had arrived at the Barbour County Courthouse about 10 a.m. to find prospective jurors milling about the courthouse lobby.

AGENTS including Berl Bernhard, staff attorney; Col. A. H. Rosenfeld, director of complaints, and C. E. Clark, legal assistant to one of the commissioners, had a brief wait before Wallace arrived.

The Clayton judge, after spending most of the night in conference with advisers, was out for a shave.

He returned at 10:15 to his office where the agents, along with Seymore Trammel, circuir solicitor; Sam LeMaistre, county solicitor, and Jack Wallace, circuit Judge-elect, waited.

At 10:35, the rights agents left th office refusing comment on their conversation.

"I'll talk about the weather and how nice the people are," Col. Rosenfeld said, "but, gentlemen, I have no other statement to make"

ROSENFELD did say, however, that his only statement will be made to the commission "We are bound by law under the act on this,' 'he explained.

Wallace, runnerup in the race for governor last Spring, had refused to make the records available to rights commission agents except for the file on four Negroes who charged they were denied the right to vote.

Wallace last month ignored a federal court subpoena which ordered him to bring the Barbour and Bullock records to a commission hearing in Montgomery.

Judge repeats vote defiance in Bullock

BY TRUDY CARGILE
News staff writer

CLAYTON, Ala., Jan. 13—The Barbour County Grand Jury today gave U. S. Civil Rights Commission agents access to voter registration records.

The jury, called back into session by its foreman, Winn E. Martin, revised its offer on procedure and the U. S. agents of the commission began their inspection.

Martin said he took this action because the federal agents gave newsmen the impression they were not given full opportunity to see the records.

WHAT EFFECT, if any, this action would have on Circuit Judge George C. Wallace, who had given the Barbour records to the jury instead of obeying a federal court order, was not immediately apparent.

Earlier today Wallace turned similar records in Bullock County over to the Bullock Grand Jury, a move similar to his action yesterday here.

U. S. Dist. Judge Frank M. Johnson had ordered Wallace to allow federal agents to see the voting records in Barbour and Bullock yesterday and today. Refusal to obey such an order is frequently punished as contempt of court.

A. H. ROSENFELD, the commission's director of complaints, agreed to look at the Barbour records under the new conditions. He and three other agents

began their inspection this afternoon.

There was no immediate indication whether the Bullock Grand Jury might take similar action.

The Barbour Grand Jury said its action today was spontaneoups and not influenced by any individual who came before it.

They added that this step should not be regarded as any backing down. They praised Wallace for the "firm stand" he has taken in protecting county records and "keeping them inviolate."

IN BOTH the Barbour and Bullock cases, Wallace said he was acting on a principle in which he firmly believes and was willing to face the consequences.

Wallace turned the Bullock County voter registration records to the grand jury with the request that it fully investigate "fraud, perjury and irregularities" in the records as charged by J. T. Ogletree, Bullock County resident.

AT 4 P.M. TODAY the time limit ran out under the decree issued by Federal Judge Frank M. Johnson, by which Wallace was ordered to make the voter registration records of Barbour and Bullock Counties available to Civil Rights Commission investigators. By placing the records in the hands of the grand juries Wallace is risking citation for contempt of court.

Wallace will face a hearing in Montgomery tomorrow before Federal Judge Johnson in a records to the Grand Jury with the order had been obeyed.

The commission agents were invited both in Barbour and Bullock Counties to inspect the records in the presence of the grand juries, but they refused to do so.

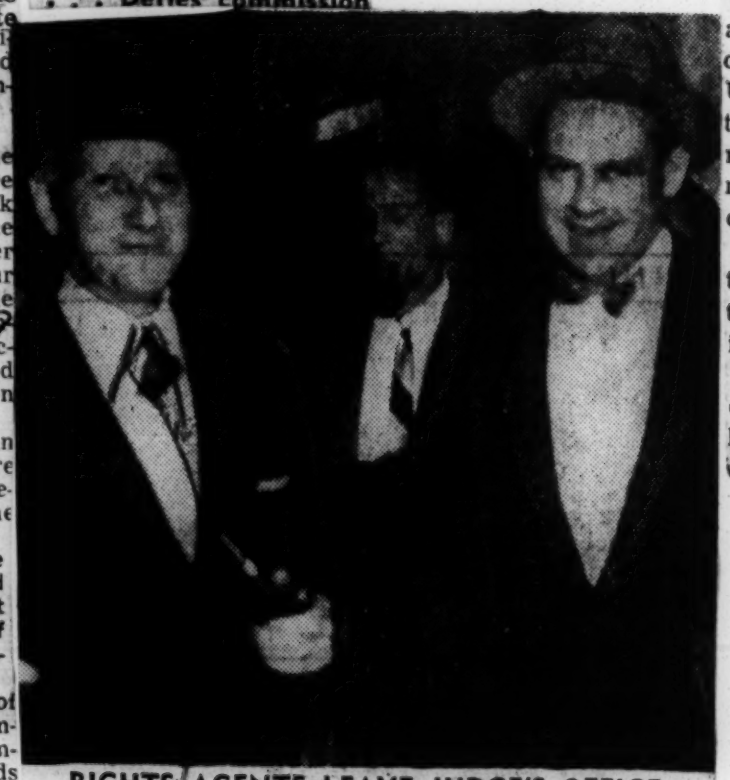
A. H. Rosenfeld, director of the commission's bureau of complaints, earlier said he was empowered only to get the records from Wallace and would not accept them from a grand jury.

Wallace ignored a subpoena last month for his appearance, with the registration records of Bullock and Barbour Counties, before the Civil Rights Commission.

HE WAS ORDERED by Judge Johnson to show the records to commission agents, but he refused, stating that he would produce only the files on four Negroes who had complained to the rights commission that they had been denied voting rights.

Last week the federal judge issued a decree ordering Wallace to make the Barbour and Bullock records available to commission agents between 10 a.m. and 4 p.m. yesterday and today. Wallace's answer was to put the records in the hands of county grand juries for investigation.

JUDGE WALLACE
. . . Defies commission



RIGHTS AGENTS LEAVE JUDGE'S OFFICE
. . . Col. A. H. Rosenfeld, left; C. E. Clark

Wallace Calls Second Grand Jury To Thwart The Federals

UNION SPRINGS, Ala. (AP) — Subpoenas were being served today for a Bullock County grant jury to which Circuit Judge George C. Wallace is expected to hand over the county's voter registration records.

While Wallace's order didn't specify the reason for summoning the grand jury, presumably jurors will be asked to investigate complaints about voter registration procedures.

Wallace, who is under a federal court order to make the records available to agents of the U.S. Civil Rights Commission, took similar action Monday in neighboring Barbour County, risking a possible jail term for contempt.

There was no word as to what time Wallace will actually call the 18—man investigating body into session.

Civil Rights Commission agents conferred with Wallace briefly here Monday afternoon but left without getting a lock at the records just as they did earlier at Clayton, the Barbour County seat.

Commission agents, arriving for a court-ordered appointment to check the records for evidence that Negroes had been discriminated against, found Wallace was placing the files in custody of a hurriedly assembled Barbour grand jury.

Another grand jury reportedly was ready to be empanelled in Bullock, although the agents have a mandate ordering Wallace to open files of both counties

Wallace left the decision on whether the agents could inspect the records up to the 18 Barbour jurors. The jurors agreed to let the investigators "examine these records jointly with us," but the agents declined the offer.

A commission spokesman said the agents rejected the proposal "because we have no authority to deal with the grand jury. Our authority is to deal with Wallace."

Judge Wallace Calls Grand Jury And Will Defy Federal Orders

Registration Records Will Be Turned Over To Grand Jury

CLAYTON, Ala. (AP) — Circuit Judge George C. Wallace was expected today to turn voter registration records over to grand juries in two Alabama counties in defiance of a federal court order.

Wallace called for a grand jury to be empanelled in Barbour County at 10 a.m. CST today and is expected to call the jury into session in Bullock County Tuesday.

The order convening the grand jury in Barbour County did not say what the purpose was, but Wallace reportedly was ready to turn voter registration records over to the jurors.

Whether agents of the Civil Rights Commission would be allowed to see the records in connection with their investigation of Negro voting complaints would be a matter for the grand jury to decide.

Federal Judge Frank M. Johnson Jr., in Montgomery ordered Wallace to make the registration files in Barbour and Bullock Counties available to federal agents between 10 a.m. and 4 p.m. today and Tuesday.

Wallace, runner-up in the race for governor last spring, has refused to make the records available to the Civil Rights Commission except for the file on four Negroes who charged they were denied the right to vote.

Johnson has ordered all registration and voting records in the two counties turned over to the federal agents for inspection.

The agents come today with a federal court order which Wallace must obey or appeal, or risk a possible jail term for contempt. The jurist would give no indication that he would abide by the mandate. An appeal to higher courts was hinted by his lawyers.

U.S. Dist. Judge Frank Johnson Jr. of Montgomery has set a hearing for Wednesday to see if Wallace obeyed the decree to show the files. The Johnson order rejected Wallace's claim of judicial immunity to the investigation.

Federal floodlights focused on the Alabama jurist Friday when investigators told a commission meeting Wallace failed to comply with a compromise agreement providing his and Macon County records could be examined. They said Macon officials cooperated. Commission Chairman John Hannah, acting through the U.S. Attorney General's office, then obtained the utlimatum from Johnson.

Under the compromise last Monday agents were to see relevant records. Wallace contended he agreed to show the only relevant records — those of four Negroes who charged discrimination in Barbour and Bullock counties. Agents wanted access to the entire file.

RELEASE VOTER FILES, IS ORDER

U.S. Court Overrules Defiant Alabama Judge

By REX THOMAS

MONTGOMERY, Ala. (AP)—U.S. Dist. Judge Frank M. Johnson Jr. Friday overruled a defiant Alabama judge's claim of immunity and ordered him to let federal agents see voter registration records.

The order by Judge Johnson was against Circuit Judge George C. Wallace of Clayton, Ala. The Civil Rights Commission complained Wallace had kept commission agents from seeing the records even in face of an earlier order issued by Johnson.

The federal court said Wallace must make the registration files in Barbour and Bullock Counties available next Monday and Tuesday. And to make certain that is done, Johnson set a hearing for next Wednesday to see if his decree has been carried out.

IMMUNITY IS DENIED

The district judge said Wallace cannot claim legal immunity from the order to produce the records because it requires no exercise of judicial authority.

Johnson didn't say what action might be taken against Wallace if he fails to comply. However, Wallace could be ruled in contempt and would face a possible jail term if the order is not set aside upon appeal.

Johnson said Wallace was aware of a compromise agreement negotiated by federal and state attorneys last Monday which gave the Civil Rights Commission access to the registration records and that he had no justifiable reason for withholding them.

JUDGE GEORGE C. WALLACE
Target of order.

Wallace Declares Practice Of Law Occupies Mind

BIRMINGHAM (AP) — George Wallace said Wednesday: "I haven't got anything on my mind right now but practicing law."

Here to address a meeting of the Alabama Independent Automobile Dealers Assn., Wallace said:

"I'm having an office fixed up and my plans are to stay down in the country where I've always been."

Wallace, former circuit judge of Barbour County, was acquitted Monday of a contempt of court charge growing out of the Civil Rights Commission's efforts to lay hands on voting records.

Instead of turning over the records to the commission as ordered by U.S. district court, Wallace gave them to grand juries, which in turn made the records available to Civil Rights Commission agents.

Rights Group Has Learned, Wallace Says

NEW ORLEANS (AP) — Former Alabama Judge George Wallace said Saturday his recent brush with U.S. Civil Rights Commission "stopped them from arrogant procedures."

The commission, Wallace said, "now is forced to adopt a procedure whereby they courteously request the right to look at local records."

"Furthermore, this has to be done in the locale of the records, and then only at times and places mutually agreeable with the legal custodians."

Wallace faced a contempt charge for his defiant refusal to turn over voter records to the federal commission. His term as circuit judge expired on Jan. 19. He has returned to private law practice.

The contempt charge against Wallace was dismissed Jan. 26 by U.S. Dist. Judge Frank Johnson Jr. Johnson said Wallace only pretended to defy the order.

Wallace, a segregationist, said that before his defiance the commission ordered officials "to come from miles away and bring voluminous records and appear before a roman holiday circus and atmosphere.

"The commission will respect local authority more in Alabama, Louisiana and wherever else they go as a result of the fight made by us in Alabama.

"This whole intrusion into the Southern states," he said, "is purely for political reasons to try to help the Republican party in 1960."

Frees Judge Who Defied Rights Probe

Montgomery, Ala., Jan. 26 (AP) —Ex-Judge George W. Wallace was acquitted of a contempt of court charge Monday by a federal judge who said he complied with a court order while trying to make it appear he was defying it.

United States District Judge Frank M. Johnson Jr., who could have sent Wallace to jail for 45 days or longer, held that the former Alabama judge actually coöperated with the United States Civil Rights commission in making voter registrations records available in Barbour and Bullock counties.

Johnson said in a written decree that Wallace "attempted to give the impression that he was defying this court's order" by turning the records over to grand juries in the two counties instead of giving them to civil rights agents.

Finds No Defiance

"However," the decree continued, "this court finds that said action did not constitute defiance or disobedience." It said Wallace "from all appearances" retained control of the records even after they were turned over to the grand juries.

Wallace was under orders to make the records available to civil rights investigators who were looking into complaints that Negroes in those and other counties had been denied voting privileges.

Agents ventually gained access to the files thru the grand juries, but Johnson still cited Wallace for contempt.

Admits Disobedience

The citation was made two weeks ago, when Wallace was a judge of a state court. His term expired a week ago.

Earlier in Monday's hearing Wallace admitted he had disobeyed a court order to make voter registration records available to the Civil Rights commission, but denied he was in contempt when he turned the records over to the grand juries.

Wallace, a firm supporter of state rights and segregation, had contended the commission had no right to examine the Barbour and Bullock records.

"Protected" as Judge

He had justified his disobedience of orders directing him to turn the records over by saying he was acting in his capacity as a judge and that his action in turning the records over to the grand juries could not legally be questioned.

Wallace enters federal courthouse, accompanied by his wife

U. S. COURT CITES SOUTHERN JUDGE

Wallace to Face Contempt Hearing Over Defiance in Alabama Vote Case

By CLAUDE SITTON
Special to The New York Times.

MONTGOMERY, Ala., Jan. 15—Judge George C. Wallace was ordered today to show why he should not be held in criminal contempt for refusing the Federal Civil Rights Commission access to voter registration records.

Judge Frank M. Johnson Jr. of the Federal District Court directed the State Circuit judge to appear for a hearing here Jan. 26 at 10 A. M.

The Federal judge acted in answer to a petition from Justice Department lawyers representing the commission. It grew out of the agency's first field investigation into complaints from would-be Negro voters.

The lawyers charged that Judge Wallace had "willfully violated" the court's order to permit the agency to examine the registration records of Barbour and Bullock Counties and instead had given them to hastily called grand juries. Judge Johnson declared that these charges showed "good cause" why the jurist "should be prosecuted for criminal contempt."

Judge Wallace could be sentenced to forty-five days in jail and a $400 fine if found guilty by Judge Johnson sitting without a jury. If the Federal judge ordered a jury trial, the maximum penalty could be raised to six months' imprisonment and a fine of $1,000.

Wallace Declines Comment

Judge Wallace declined to comment on the order issued against him by Judge Johnson, a personal friend and former classmate at the University of Alabama Law School. The state judge was the runner-up to incoming Gov. John Patterson in the Democratic primary.

He will be succeeded as judge of the courts of highest jurisdiction in Harbour, Bullock and Dale Counties next Monday by his brother, Jack W. Wallace and thus will not appear before the Federal judge as a state jurist.

His refusal to show the records risked the displeasure of a judge who is regarded as a fair but stern disciplinarian.

Judge Johnson, a Republican from Haleyville, Ala., was a member of the three-judge panel that handed down the Montgomery bus desegregation decision.

Two Justice Department attorney from Washington, Joseph M. F. Ryan Jr. and Robert Owen, reported to Judge Johnson that the commission had been able to examine the Barbour and Bullock files despite harassment through "dilatory tactics and other childish conduct."

He reported that a spot check of the documents had been made although they had been given to the commission in a "jumbled-up form." It was learned that photostats had been made of some of the Bullock records.

Judge Johnson dismissed a civil action with the comment that "although dilatory tactics and formal refusals were engaged in, this court's order was, in fact although not technically, compiled with by the devious methods employed by Wallace."

He then directed the Justice Dept., attorneys to file petition for a criminal contempt action against the circuit judge and an order directing him to appear.

The order, signed by the judge, noted that the commission had charged Judge Wallace with refusing a request for the records on Monday at the Barbour County Court House. The agency also contended that the judge had turned down a plea for the Bullock County records, Tuesday. The order stated that it appeared to the court "that good cause had been shown that George C. Wallace should be prosecuted for criminal contempt of this court.

TIMES
Fri. 1-16-59
New York, N.Y.

Federal Court Hearing Set In Voter Row

BY DONALD F. MARTIN

MONTGOMERY, Jan. 15 (UPI) — A Federal judge cited his former law school classmate, Alabama Judge George Wallace, for contempt today upon complaints that he disobeyed orders to turn over voter registration records to Civil Rights investigators.

Wallace, of Clayton, has been a leader in Alabama defiance of the controversial Civil Rights Commission inquiry into Negro voting in this state. Instead of surrending the vote records to civil rights agents, Wallace handed them to local grand juries this week.

U. S. Atty. Joseph Ryan, in his complaint, said that civil rights agents "were harrassed by dilatory tactics and childish maneuvers" in their efforts to inspect the vote records. He said the grand juries finally produced the records "in jumbled form."

Federal Judge Frank M. Johnson, a former classmate of Wallace at the University of Alabama, directed Wallace to show cause at a hearing Jan. 26 "if there be any reason why he should not be found guilty of criminal contempt."

It marked the first contempt proceeding in the efforts of the newly-created Civil Rights Commission to carry out its investigations in an atmosphere of Deep South Defiance.

Wallace could be fined $1000 and sentenced to six months in jail if found guilty by a jury. The judge might fine him $800 and order a 45-day jail sentence.

Wallace refused comment on the action, but a spokesman said that the commission has "backed down on every issue. They came down here arrogantly and have backed down, showing that the state's rights have won the issue."

Johnson's citation was the latest showdown in the running Federal vs. State battle which stemmed from the Civil Rights Commission's investigation of complaints Alabama Negroes had been denied the right to vote.

Wallace, a 39-year-old unsuccessful candidate for governor last Spring and a former Golden Gloves boxer, first refusing to appear before the commission Dec. 8-9, saying he would not "dignify" the Federal agency by testifying.

He then ignored a Federal subpena obtained by the commission on grounds it had no right to question his actions as a state jurist, and on Monday and Tuesday of this week, he side-stepped Johnson's order to produce the records of two Central Alabama counties to the commission.

Wallace, instead, turned the records over to grand juries in Bullock and Barbour Counties, and they, in turn, made them available to investigators.

The outspoken, five-foot, seven-inch judge who boxed as a featherweight was accused in Johnson's order today of engaging in "dilatory tactics and refusals" and the Federal judge said his order to produce the records was "in fact not technically complied with by devious methods employed by Wallace."

Ryan said that "the purpose and intent of the court order (to make the records available to the commission) was carried out: How it was carried out was a different matter."

John P. Kohn of Montgomery, one of Wallace's attorneys, got into a brief hassle with Johnson when he said "we would like to make Wallace's position clear."

The judge replied that "I am not interested in Wallace's position at this time" and waved the attorney down. Johnson later said to the attorneys that "you will have time to make

...the respondent's position clear, then ordered the contempt citation drawn up.

Can Wallace Be Sent To Jail?

BY CLARKE STALLWORTH

Can Federal Judge Frank Johnson put Circuit Judge George Wallace in jail for his refusal to turn over voting records to federal authorities?

Can Johnson find Wallace guilty of contempt without a jury trial?

If found guilty, how long a sentence can Wallace be handed?

Can a contempt conviction be appealed?

These are some of the unanswered questions after Johnson ordered Wallace to appear at 10 a.m. in Montgomery Jan. 26 to "show cause" why he should not be held in criminal contempt.

Earlier, Johnson had ordered Wallace to turn over the voting records in Barbour and Bullock Counties to Federal civil rights authorities. Wallace refused to do this, and instead gave the records to grand juries in Barbour and Bullock.

The grand juries in these counties allowed the investigators to look at the records.

First of all, according to a top constitutional lawyer here, Wallace can be put in jail by Johnson if he's found guilty of contempt. The Civil Rights Act passed in 1947 provides that a Federal judge—upon request of the U. S. Civil Rights Commission—has the power to find people in contempt without a jury and sentence them to $300 fine and 45 days in jail.

But the Federal judge's power to act without a jury raises a constitutional question. The lawyer here said he thought the Congress didn't have authority to grant this power to a Federal judge, since everyone is guaranteed by the Constitution the right of a jury trial.

The lawyer here said Wallace could request a jury trial, but it would be up to Johnson to grant him one or not.

If there is a jury trial, the lawyer here thought the possible jail sentence could be stiffer than the $300-45 days stipulation of the Civil Rights Act.

John Kasper, in a case stemming from the Clinton, Tenn., integration case, was tried by a jury and was sentenced to a longer term than 45 days.

If Wallace is found guilty of contempt, he is expected to appeal the conviction. To go through the U. S. Circuit of Appeals in New Orleans and the U. S. Supreme Court in Washington usually takes a year and a half to two years.

So, even if Wallace is cited for contempt—assuming he appeals—he would not go to jail for a long period.

MUST SHOW CAUSE— Judge George Wallace.

Alabama Comments On Wallace

The Federals Squirmed

The Enterprise Ledger

JUDGE WALLACE pleaded guilty as charged to disobedience to court order and offered no defense. Judge Johnson listened to prosecution witnesses defend Wallace's actions and the prosecution's case that Wallace had connived to help them. Then Johnson told Wallace he was not guilty since he had connived.

Has there ever been such an open and foul use of the federal authority being worked against the wall and trying to squirm out, saving their face and smearing the defendant?

We await round 2.

Pioneer Wallace

The Andalusia Star-News

THE federal district court, presided over by Judge Frank M. Johnson Jr., has been defied. And that federal jurist, in the face of a mockery that would have blanched his predecessor, the late Judge Charles B. Kennemer, seeks to squirm out of the hot spot that Circuit Judge George Wallace cooked up.

Judge Johnson, in a specific order, directed that Judge Wallace turn over voter registration records of Barbour and Bullock counties to Civil Rights investigators.

Judge Wallace thumbed his nose at the federal bench and deliberately put the records of both counties into the custody of grand juries. Judge Wallace went further and instructed the grand juries to hold or release the records as they wished.

Federal Judge Johnson argues this was not a defiance of his order.

The people and taxpayers of Alabama, who must look to the Middle District Federal Court in Montgomery for justice to be dispensed, can have no faith in a logic so blind as that.

The actions of Judge Wallace, in defying the federal court and cornering the Civil Rights Commission, was a pioneering venture.

Wallace demonstrated effectively what a state judge can do to quell the Civil Rights holy-rollers when they are bent on meddling with ballot registrations.

A Service To Alabama

Lee County Bulletin

GEORGE WALLACE of Clayton has served Alabama well as legislator and jurist. He has been a knowledgeable and popular public servant. We have been sorry that his recent performances in the public arena have not measured up to the record of service he previously had put together.

Judge Frank Johnson, Alabama born and bred and a classmate of Mr. Wallace's at University of Alabama, did his native state a service of inestimable value when he refused to fall for Wallace's attempt to maneuver himself into political martyrdom.

Of course, following the federal court hearing at Montgomery, Mr. Wallace made the expected fire-eating statement which has been applauded by the more unreasoning. But even he must know that Judge Johnson unmasked what appeared to be his effort to get placed in federal jail, and in doing so made Mr. Wallace look a bit ridiculous.

No "outsider," Judge Johnson has handed down a ruling which ends, once and for all, we hope, this political circus occasioned by efforts of the federal government to determine whether voter rights have been denied. The government got information it was after. Nobody has been handed a sure-fire ride to political office. And if voter registration efforts have been unlawfully denied, no doubt registrars henceforth will be persuaded that those who meet the requirements must be registered.

Johnson Was Too Smart

The Centreville Press

JUDGE GEORGE WALLACE tried his best to get Judge Frank M. Johnson Jr. to put him in jail for contempt of court, but the judge was too sharp for Mr. Wallace. The facts are that Judge Wallace tried to make it appear through the newspapers that he was defying the federal courts and the Civil Rights Commission, while all the time he was giving them the information that they wanted.

Wallace Flopped

The Florala News

GEORGE C. WALLACE has failed again. He can't even get himself put in jail and he sure tried hard enough to.

We wonder just what did he accomplish by his publicity stunt. At this time we can't see that he accomplished anything that would benefit him in any direction. He claims that he did not keep the records from the Civil Rights Commission solely for the purpose of hiding anything. But his efforts to keep the records failed and anyway, if there was nothing wrong why all the commotion?

Absolutely nothing was accomplished toward keeping the state courts from being plowed under by higher judicial edict, as he claims was his motive. He only worsened conditions. Why did he give the impression that he was defying the court's order by turning the records over to the grand jury when actually he "through devious methods, assisted agents in obtaining the records in the two counties?"

There are many questions George C. Wallace will have to answer if ever again he pokes his head out for governor. Apparently he is ambitious for George C. Wallace and not for the state of Alabama nor for the South.

Judge Wallace hearing stayed

BY TRUDY CARLILE, News staff writer

MONTGOMERY, Ala., Jan. 14—U. S. Civil Rights Commission agents reportedly balked at the wording of a Grand Jury report and refused to look at voter registration records in Bullock County today.

The clash between the agents and Bullock officials came on the heels of the delay today of a federal court hearing in Montgomery.

Sources close to the situation had already interpreted the delay as a victory for Circuit Judge George C. Wallace and state vote registration officials.

Joseph M. F. Ryan, attorney for the Justice Department, asked that the court hearing be postponed until 9:30 a.m. tomorrow so the U. S. agents could report on their findings in Bullock County.

THE AGENTS had completed their investigation in Barbour County and were expected to wind up vote record examinations in Bullock today when the clash over the Grand Jury's report erupted.

A. H. Rosenfeld, director of the bureau of complaints for the Civil Rights Commission, told Federal Judge Frank Johnson in court this morning that "a complete and sufficient report" had been obtained from the Barbour County records in their investigation into complaints by Negroes of denial of voting rights.

The snag in Bullock was reported by Circuit Solicitor Seymour Trammell, who said he received a call from the Bullock Grand Jury foreman, Roy Holmes.

Trammell, who was in Montgomery for the federal court hearing originally set for 9:30 a.m. today, said the commission agents were reported to have objected to a sentence in the Grand Jury report which praised Wallace's defiant stand.

THE DISPUTED portion of the report stated:

"We feel that the act of the Civil Rights Commission in coming to Bullock County . . . and making a respectful request for use of these records rather than making an arrogant demand is evidence tending to show their new-found recognition of state authority, for which your honor (Judge Wallace) is to be further commended."

Meanwhile, the federal attorney, Ryan, said he believes a compromise "can be worked out in the very near future."

Wallace this week placed voting records in the hands of the grand juries in Barbour and Bullock instead of giving them to civil rights agents for investigation.

THE GRAND JURIES in turn agreed that agents could examine the records in the presence of their foremen and county solicitors.

Rosenfeld at first refused to deal with the grand juries, maintaining the records should come directly from Wallace.

Wallace impounded the registration records last October when it was reported Civil Rights Commission agents would come to Alabama and investigate reports that Negroes were being denied voting rights.

A CIVIL RIGHTS hearing was set up in Montgomery last November, but was halted when vote registrars refused to testify.

Federal Judge Johnson last week ordered Wallace to turn the voting records over to civil rights agent by 4 p.m. Tuesday of this week.

Wallace, however, gave the records to the grand juries.

The hearing before Johnson, postponed from today until tomorrow, is to determine to what extent Wallace went to enable agents to examine voting records.

IF IT IS FOUND Wallace did not go far enough to satisfy the order, he could be jailed for contempt of a federal court.

Shortly before the hearing was scheduled to begin this morning, Wallace said he was going to stick with the course of action he elected to take. He said he was performing his duty as a circuit judge by turning the records over to the grand juries.

"A grand jury is an independent body, and what it does with the records is its own business," Wallace said.

MEANWHILE, a spokesman for Atty. Gen. John Patterson said the State of Alabama is no longer representing Wallace as defense counsel.

Wallace has his own lawyers, but Patterson was among them as the state's chief attorney at the outset of the dispute.

Asst. Atty. Gen. Edmon L. Rinehart gave no explanation for the withdrawal. Rinehart said the state is still interested in the dispute in behalf of the three registration officials who have been ordered to testify before the Civil Rights Commission if their testimony is needed.

Rights Agents Win Victory In Vote Case

MONTGOMERY, Ala. (AP)—U. S. Civil Rights Commission agents Tuesday won the right to examine disputed voter registration records which a defiant Alabama judge had withheld.

Circuit Court Judge George Wallace, admittedly inviting a jail term for contempt, turned the voter files over to hurriedly called grand juries in Barbour and Bullock counties.

Although a federal judge had demanded he show the records to civil rights agents, Wallace gave the records to grand juries to investigate complaints of irregularities in registering voters.

However, the Barbour jurors offered to permit the agents to inspect the records for evidence on alleged denial of Negro voting rights.

Investigators accepted the offer and were checking the Barbour files at Clayton when the grand jury foreman in adjoining Bullock County telephoned a similar proposal.

A. H. Rosenfeld, commission complaints director, said he would notify the Bullock jurors later whether he and other investigators would accept the plan. Both counties agreed to produce the records in the presence of the grand jury foreman.

Rosenfeld declined comment on how the grand jury action might affect Wallace, or whether the commission was satisfied with getting the files from grand juries.

Wallace was ordered by U.S. District Judge Frank M. Johnson Jr. to allow the federal agents to see voter records of the two counties Monday and Tuesday.

U.S. Agents Check Ala. Vote Records

MONTGOMERY, Ala. (AP)—Federal agents proceeded with an inspection of voter records in rural Bullock County Wednesday after first balking at a grand jury's insinuation they were backing down.

They had refused to take the registration records at first because of a sentence in a grand jury report which said the Civil Rights Commission had demonstrated a "newfound recognition of state authority."

Reconsidering after a deadlock which lasted several hours, the agents started inspecting the files with the disputed portion still in the jury's report.

A commission spokesman said later that in view of the wording of the grand jury report, the agents decided against going into the records without checking first with Washington.

". . . We told the officials present in the courthouse that there would be a delay while we telephoned for instructions. After receiving the instructions, we began examining the records."

The civil rights investigators, trying to determine whether Negroes have been denied the right to vote, had gone to Union Springs, the county seat, to accept the grand jury's offer to make the voter registration files available.

But after they read the grand jury statement offering them access to the records, the federal agents refused to take them.

Meanwhile, in Montgomery, a federal court hearing to determine whether Circuit Judge George C. Wallace must go to jail for turning the files in Bullock and Barbour counties over to the grand juries was delayed until Thursday.

Wallace, who had impounded the records, refused to surrender them to the federal agency and was ordered by U.S. Dist. Judge Frank M. Johnson Jr. to make them available no later than Monday and Tuesday of this week.

Instead of handing them to the commission, Wallace hurriedly called grand juries into session in both counties and gave them the records. He told the jurors they could turn them over to anyone they saw fit.

Agents led by A. H. Rosenfeld, head of the commission's division of complaints, examined the Barbour County files Tuesday, then turned to Bullock Wednesday.

The inspection bogged down when the investigators ran onto the following sentence in the jury's report to Wallace notifying him of its offer to let the commission see the registration files:

"We feel that this act of the Civil Rights Commission in coming to Bullock County . . . and making a respectful request for use of these records rather than making an arrogant demand is evidence tending to show their newfound recognition of state authority, for which your honor is to be further commended."

The report also praised the judge for his "long fight to enforce proper respect from all sources for the authority and dignity of the courts of this state."

Circuit Solicitor — prosecutor— Seymore Trammell accused the agents of "trying to write a grand jury report for a state grand jury" by insisting on a change in the wording.

Wallace can be sentenced to jail by Johnson for failure to obey his order to make the records available to the commission. Or, the federal judge may construe the action of the grand juries in giving the commission access to the files as compliance with his decree.

Voter Records Given To Jury

Action Of Alabama Judge Thwarts Rights Unit

BASED ON 'PRINCIPLE'

By United Press International

UNION SPRINGS, Ala., Jan. 13.—An Alabama judge Tuesday turned voter registration records sought by the Civil Rights Commission over to a grand jury. It was an apparent move to block the Federal agency's investigation of Negro vote complaints.

Circuit Judge George Wallace said he based his action in this Bullock County seat "on a matter of principle of a state judge to perform his judicial functions without any interference."

Hearing Today

Judge Wallace had been ordered by Federal Judge Frank M. Johnson Jr. in Montgomery to give up the records of both Bullock and Barbour Counties by 4 p.m. Tuesday. Judge Johnson set a hearing for Wednesday to find out then whether his order had been complied with.

Judge Wallace told the Bullock jurors he was doing "what I told you I would do" in turning the records over to them. "No one can take them from you until you turn them over to whom you see fit after you are done with them," he said.

Impounded Earlier

Judge Wallace again emphasized the records of the two Central Alabama counties had been impounded for local vote fraud investigations before the Federal investigation.

The fiery jurist, who finished second to Gov.-elect John Patterson, in a Democratic primary runoff last spring, will leave office Jan. 19 with his young brother, Jack Wallace, scheduled to succeed him.

Rights Agents Get Look At Barbour Records

CLAYTON, Ala., Jan. 13. — (AP) — United States Civil Rights Commission agents were given access to voter

registration records of Barbour County Tuesday after a grand jury revised its offer on inspection procedure.

Jurors were called back into sessions by the foreman, Winn E. Martin, who said he did so because the Federal agents apparently gave newsmen the impression they were not given an opportunity to see the records.

In its report Tuesday the Barbour Grand Jury said since it would not need the records before Thursday, the Civil Rights Commission agents could look at them in the presence of the foreman and County Solicitor Sam Lemaistre.

Earlier Circuit Judge George C. Wallace turned over similar records of Bullock County to a grand jury which he called into session there Tuesday. The Federal agents didn't get to see them before they returned to Clayton.

Rights Probe Case Postponed

Voter - Registration Dispute Put Off 24 Hrs.

MONTGOMERY, Ala. (UPI) —A federal judge postponed for 24 hours Wednesday hearing a report on whether Civil Rights Commission investigators were permitted to examine voter-registration records in Barbour and Bullock counties.

At Union Springs, Ala., the chief of the civil rights investigating unit spent much of the day in dispute with Bullock county officials but finally began inspection of the records. Investigators looked at Barbour county vote records Tuesday.

Circuit Judge George Wallace of Clayton, Ala., who had impounded the records, was under federal court orders to make them available to civil rights agents by 4 p. m. Tuesday. Instead, Wallace turned the records over to grand juries in the two counties and said he no longer had control of them.

Federal Judge George M. Johnson Jr. had scheduled a hearing Wednesday on whether Wallace should be cited for contempt for refusing to comply with the court order. The civil rights agents requested a delay in the hearing in order to examine the records at Union Springs. The grand juries opened the records for inspection with provision that the jury foreman and another county official be present.

The Civil Rights Commission, created by the controversial 1957 Civil Rights legislation in Congress, interrupted its hearings here into complaints that Negroes were denied voting rights in certain Alabama counties. The purpose was to test in court the commission's powers to obtain state and county records.

The civil rights investigating director, Col. A. H. Rosenfeld, refused Tuesday night to inspect the Bullock county records because of wording in the grand jury report critical of the Civil Rights Commission.

Presumably he planned to report to U. S. attorneys, who in tuprn would appear before the federal judge Thursday.

Judge Postpones Vote Data Hearing

MONTGOMERY, Ala., Jan. 1[4] (UPI)—A federal judge postponed for 24 hours today hearing a report on whether civil rights investigators were permitted to examine voter-registration records in Barbour and Bullock counties.

At Union Springs, Ala., the chief of the civil rights investigating unit spent much of the day in dispute with Bullock County officials, but finally began inspection of the records. Investigators looked at Barbour County vote records yesterday.

Circuit Judge George Wallace of Clayton, Ala., who had impounded the records, was under federal court order to make them available to civil rights agents by 4 p.m. yesterday. Instead Wallace turned the records over to grand juries in the two counties and said he no longer had control of them.

Federal Judge George M. Johnson Jr. had scheduled a hearing today on whether Wallace should be cited for contempt for refusing to comply with the court order. The civil rights agents requested a delay in the hearing in order to examine the records at Union Springs. The grand juries opened the records for inspection with the provision that the jury foreman and another county official be present.

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Presumably he planned to report to U.S. attorneys, who in turn would appear before the federal judge tomorrow.

Wallace Defies Order, Grand Jury Gets Files

Agents Balk Joint Probe In Barbour

By DON McKEE
Advertiser State Editor

CLAYTON — Circuit Judge George C. Wallace Monday boldly defied a federal court order to produce voter registration records for examination by U.S. Civil Rights Commission investigators and instead turned the vote files over to a hurriedly assembled grand jury.

Wallace, who ignored a subpoena to appear before the commission in December, placed himself in contempt of U.S. District Judge Frank M. Johnson who ordered the judge to permit examination of the records by federal investigators between 10 a. m. and 4 p.m. Monday and Tuesday.

The jury in turn offered to permit the investigators to look over the registration records in the presence of the jurors. This offer was refused by the investigators on the ground that Judge Johnson's order authorized them to deal only with Wallace and not the jury. The special grand jury was called into session by the judge and the records impounded last month on a complaint of illegal registration.

CONTEMPT OF COURT

Although Wallace admittedly put himself in contempt of the federal court order, Johnson made clear Monday that he would not likely act at all in the matter before a previously scheduled Wednesday hearing in his court.

"I want to give Judge Wallace every opportunity to comply with the order of this court," the federal jurist said. "I don't anticipate any action before Wednesday."

In Washington, a spokesman said the Civil Rights Commission takes the position the dispute is between Wallace and the federal court, and that under Johnson's order the commission has no authority to seek to examine the records when they are in the possession of anyone other than Wallace.

After a frustrating day at the Clayton courthouse, the federal investigators concluded their efforts with a brief stop at the Union Springs division of Wallace's Third Judicial Circuit.

THWARTED JUDGE

Here apparently, they again were thwarted by the little circuit judge. The investigators spent 27 minutes with Wallace and it was obvious that they examined no records, although neither they nor Wallace would confirm this.

Chief Investigator A. H. Rosenfeld said before he left Clayton for Union Spring that he had "a message for Judge Wallace." The nature of his message was not disclosed by him or Wallace.

And the judge, who has said he would never release such records to federal probers, will repeat his defiant action Tuesday by turning over the Bullock County voter records to the grand jury of that county, a reliable source reported.

Wallace very likely will summon the Bullock County Grand Jury Tuesday and hand over to that body the impounded voter registration records of that County. Monday, concluding his day of defiance and legal maneuvering, Wallace declined to say what he plans he has for Tuesday.

Wallace appeared rather resigned to the possible jail sentence he faces for violating the federal court order.

In his statement to the Barbour grand jury, he said, "I have no apologies to make for any action," and avowed he was ready "to face any consequences I may have to bear."

A crowd of several dozen spectators gathered early at the old courthouse here and there were indications that any attempt to take Wallace into custory would be vigorously protested by the citizenry.

Outspoken in protesting the investigation was M. M. Moulthrop, former mayor of Eufaula.

"We're not going to see you embarassed, taken out of your jurisdiction - without some show of protests," Moulthrop told Wallace after the jury had been given the voter records. Moulthrop, very angry, even hinted at violence should the judge be arrested.

"I think it's the greatext insult a community or county could have slapped upon it," he said.

But the nearest thing to any violence was the shooting of a string of firecrackers as a practical joke by Tax Collector Stanley Baker who sought to upset the investigators by tossing the explosives underneath their car. It was taken as a joke by all concerned apparently, a joke highly enjoyed by the spectators.

'GRAVE MATTER'

It was a day filled with conferences—the federal investigators headed by A. H. Rosenfeld closeted themselves in Wallace's chambers; then they were joined by Wallace and other county officials in an out—and so it went most of the day.

Wallace told the jurors, "This is a grave matter."

He explained that since he had impounded the records and had originally called the jury to investigate a complaint by Crews Johnston, "I think this matter that has been filled with tension should not be left in the lap of my successor." He leaves office Jan. 19.

"Today, I am turning these records over to you," Wallace said. "I have kept them intact and inviolate."

"Investigate this matter. . . I called you for the sole purpose of giving you the records, the judge said.

He concluded:

"Of course, when I turn the voter registration records over to you, I realize I have no control over them. What you do is your business. Who you make them available to is your business."

EXAMINE RECORDS

Subsequently, the jury reported after three hours of investigation, with a break for lunch, that they had offered to permit the federal investigators to examine the records in the presence of the jury.

"It is our considered opinion that we should keep these records in our custody until such time as we can complete our investigation," the report said.

"However, we have offered to the four representatives of the Civil Rights Commission a proposal wherby they might examine these records jointly with us in the courtroom of the courthouse at Clayton.

"Our proposal was that we would examine the records pertinent to our investigation in one section of the courtroom and as we finished with these records we would turn them over to these four representatives," the statement said. The jury said that since the offer was refused, it had decided to ask for a recess — which was granted by Wallace— until 10 a.m. Thursday.

DEAL DIRECTLY

Rosenfeld's reply to the jury statement:

"There was no offer made by us to examine the records in the presence of the grand jury. We have no authority to deal with the grand jury. We are authorized to deal directly with Judge Wallace."

Wallace acted as if he considered it distasteful to openly sit in conference with the federal lawyers and on one occasion he carefully thwarted efforts to photograph him and two of the agents walking down the hall. When he saw a photographer getting set, he simply waited until the agents had gone into the room and then he walked alone down the hall.

Assisting Wallace were his brother and successor Jack Wallace, Circuit Solicitor Seymour Trammell and county Solicitor Sam LeMaistre.

WALLACE IN STRATEGY HUDDLE

Circuit Judge George C. Wallace (second from left) talks in Barbour County Courthouse with Circuit Solicitor Seymour Trammell (left), Crews Johnston (center) who filed complaint of fraud and misrepresentation in some voter registration cases; Jack Wallace, brother of the judge and his successor, and County Solicitor Sam Le Maistre.—Staff Photo by Charles Moore

Showdown On Records Due Today

Wallace Continues Silence On Action By Rights Probers

State and federal government officials will reach a showdown Monday on the controversial civil rights investigation in Alabama when federal agents return to Barbour and Bullock counties for a look at voting records there.

Meanwhile, Clayton Circuit Judge George C. Wallace remained silent on his plans for the return visit of the investigators from the federal Civil Rights Commission.

Wallace previously has threatened to jail any federal officers entering his county for the purpose of checking circuit voting records.

Agents, who complained that they were refused access to the records during a visit to Wallace's territory last week, will be armed with an order from federal District Judge Frank M. Johnson.

TUESDAY DEADLINE

Judge Johnson has ordered Wallace to make the records available to agents of the commission between 10 a.m. and 4 p.m. Monday and Tuesday.

Refusal to comply could bring a contempt citation and possible jail sentence to the 39-year-old jurist.

Judge Johnson issued the order in Montgomery upon request of a representative of the U.S. Attorney General's office initiated after Commission Chairman John A. Hannah claimed the Clayton judge withheld the records last week. At that time investigators sought to review records under a compromise agreement.

STUDYING POSSIBILITY

There were reports that attorneys for Wallace were studying the possibility of appealing Johnson's order.

As an outcome of the commission investigation, however, Wallace apparently has three alternatives.

One is to obey the court order, the second to appeal and get the order set aside, or continue to refuse investigators access to the records and risk possible jail sentence.

Wallace has denied that he was uncooperative.

He said Johnson's order indicated agents were to see only "relevant" material. This, according to Wallace's interpretation, meant only material pertaining to persons who had registered complaints with the commission.

Registration records were made available on four Negroes from Barbour and Bullock counties who had charged discrimination.

But in the order set out Friday, Judge Johnson made plain what he meant by "relevant." Agents were to have access to all existent documents pertinent to registration and voting.

CIVIL RIGHTS INVESTIGATORS CONFER IN CLAYTON
Left To Right: A. H. Rosenfeld, Berl I. Bernhard, Charles E. Clark

JUDGE WALLACE

Agents' Path Cleared In Wallace's District

TALK LIMIT TESTED

Rights Backers Push New Bills

WASHINGTON (AP)—A new set of civil rights bills was pushed forward Tuesday. Backers of the legislation said it would show whether a new Senate rule will be effective in curbing filibusters.

Sen. Jacob K. Javits (R-NY) said the bills—one of which would give the attorney general broad new powers in civil rights enforcement—furnish "excellent examples of what were the real stakes" in a session-opening battle over changing Senate rules.

Javits was a leader of a bipartisan bloc of Northern and Western senators which tried unsuccessfully to get a tighter anti-filibuster rule than the Senate accepted Monday night. This bloc contended the new rule—sponsored by Senate Democratic Leader Lyndon B. Johnson of Texas—isn't much more effective than the old one.

One of the new measures would empower the attorney general to seek injunctions against any interference with civil rights, including what it defines as the right to attend a none-segregated public school.

A broad provision similar to this was struck out of the 1957 Civil Rights Act. That measure is limited largely to protection of voting rights.

Another new bill would extend the life of the Civil Rights Commission created by the 1957 law. It is due to expire next Sept. 9. The legislation would continue it to January 1961.

A third measure, already introduced, is aimed at curbing hate bombings of schools and churches.

The rules battle ended with the adoption, 72-22, of Johnson's proposal to permit debate limitation action by two-thirds of the senators present and voting.

This replaces a rule in effect for 10 years that required the votes of 66 senators, or two-thirds of all 98 senators, to throttle a filibuster.

In referring to the package of civil rights bills, Javits said the measure to arm the attorney general with broad new injunctive powers in particular will put the new rules to an acid test.

He called this the fundamental civil rights measure which should be considered by this Congress. He said Sens. Kenneth Keating (R-NY), Hugh Scott (R-Pa), and Clifford P. Case (R-NJ) will join him in offering it.

Southern senators, under the

Hearing Set For Jurist Here Today

By DON McKEE
Advertiser State Editor

CLAYTON—The grand juries of Barbour and Bullock counties Tuesday opened the door for U.S. Civil Rights Commission agents to inspect voter registration records on the heels of Circuit Judge George Wallace's repeated defiance of a court order to do so.

The federal investigators completed their examination of the Barbour registration records, with the grand jury foreman and county solicitor looking on.

They inspected the files after the grand jury, summoned into session Monday to receive the records from Wallace, amended a Monday offer which required that the investigators examine the records only in the presence of the jury itself.

ON JURY'S TERMS

Wallace turned over Bullock County registration records to the county grand jury in Union Springs Tuesday morning. The jury, after a five-hour session, issued a statement offering to permit scrutiny of the records by federal investigators—but only on conditions laid down by the jury.

A. H. Rosenfeld, heading the team of four investigators, was informed of the offer by jury foreman Roy C. Holmes by telephone. Holmes said Rosenfeld said the agents would contact him later relative to when they wished to examine the records.

Wallace, as was expected, continued his violation of an order by U.S. District Judge Frank M. Johnson Jr., who instructed the circuit judge to permit inspection of the records between 10 a.m. and 4 p.m. Monday and Tuesday.

STILL IN CUSTODY

Rosenfeld requested the records of Wallace before the Bullock grand jury went into session Tuesday and while the records were still in custody of the circuit judge who impounded them for a jury investigation on complaint of illegal registrations.

Wallace again refused to permit inspection of the records by Rosenfeld and his aides. Instead he turned them over to the grand jury, as he had handed Barpossible jail sentence for his violation of Johnson's order. If the federal judge intends to act against Wallace, the first step is expected Wednesday at a session called by Johnson to hear a report on his order.

APPEAR LATER

This action would most likely come in the form of an order for Wallace to appear later before Johnson and show cause why he should not be held in contempt of the federal court. If, then, Wallace's causes did not satisfy the judge, he would be cited for contempt and possibly be given a short jail term or be fined.

The hearing is scheduled to get under way at 9:30 a.m. in the federal courtroom on the second floor of the Federal-Post Office Building in Montgomery.

Tuesday, Wallace issued only one statement and that was in connection with Rosenfeld's statement Monday that the agents were not authorized to deal with a grand jury. Rosenfeld made that statement after refusing to inspect Barbour records with the jury present.

"He won't get them (the records) from me because I have no control over them," Wallace said. "And I have already refused repeated courteous requests of Rosenfeld."

It may have been significant or simple coincidence, but the Bullock jury did not conclude its session until exactly 4 p.m.—the deadline set by Johnson for inspection of the records by the federal agents.

COMMENDED BY JURY

The Bullock County jury made a point of commending Wallace and emphasizing that the records might be examined "only under the rules set by us." These rules include the stipulation that the jury foreman and another juror must be present.

CIVIL RIGHTS COMMISSION

"These records may be used by you by reason of our permission rather than your right," the jury said to the commission. Further, the report noted that the commission, through its agents, in "making a respectful request for use of these records rather than making an arrogant demand" was providing "evidence tending to show their newfound recognition of state authority."

Although Rosenfeld and his aides went to Union Springs first Tuesday, to request records there of Wallace, it was learned later that an appointment had been made for 9:30 a.m. with Barbour County Solicitor Sam LeMaistre in Clayton, to inspect records there. Thus, it appeared that an understanding on the Barbour records had been reached early Tuesday or possibly Monday night.

The Barbour jury reconvened itself—an unusual but legal procedure—Tuesday in order to make registration files available to the investigators. The agents began their examination of the records shortly before 1 p.m. and returned the files to the grand jury at about 4:30 p.m., LeMaistre said.

RECORDS AVAILABLE

When queried on the about-face of the investigators in inspecting the records despite the fact the jury still had custody of them, a commission spokesman noted that the jury was "in recess and that all the records were available for inspection by the representative of the commission."

The jury in its report said the new offer, eliminating the presence of the entire jury, was made because of a misimpression of the agents that "we did not make an offer of these records to them." However, the investigators knew of the offer and refused on grounds they could not deal with the jury—only Wallace.

Judge Orders Wallace To Open Vote Records

Unit Violates Civil Rights, Jurist Claims

By DICK HINES

Circuit Judge George C. Wallace said here Friday night that the Civil Rights Commission's manner in investigating alleged voting discrimination in Barbour and Bullock counties actually violated his civil rights and those of other state officials.

The Clayton judge, in a lengthy statement dictated to reporters in a hotel room, denied that he had failed to cooperate with commission agents in producing "relevant" records and described the civil rights hearing here Dec. 8-9 as a "Roman holiday investigation surrounded by a circus atmosphere."

But he declined to state during a question and answer period whether or not he will comply with an order issued by Federal District Judge Frank M. Johnson ordering him to disclose all voting records of Barbour and Bullock counties between the hours of 10 a.m. and 4 p.m. on Monday and Tuesday.

"At this time (5:30 p.m. Friday), I have not seen the latest order of the court and therefore will not comment on it," Wallace said.

He said his attorneys had been promised a copy of the court order — the third issued ordering him to show voting records—but had not been able to obtain one.

Wallace apparently has three alternatives:

1. To comply with the order.
2. To request a stay of execution of the order.
3. To refuse to show the records and face a possible jail sentence for contempt of court.

Wallace held a news conference at the Jefferson Davis Hotel after conferring for about two hours with his attorneys. They included former Gov. Chauncey Sparks and Archie Grubb of Eufaula, Judge Preston Clayton of Clayton and Circuit Solicitor Seymore Trammell of Midway.

In addition to dictating a statement, he issued a copy of a typewritten statement which he said was given to civil rights investigators and was delivered to the Commission regarding his refusal to show certain records sought by them this week following Judge Johnson's second court order of Jan. 5.

Members of the Civil Rights Commission did not disclose Friday that such a statement had been received from the judge.

Commissioner John Hannah said "precious little" information was obtained from Wallace by the agents.

"The Civil Rights Commission's statement that it 'received no cooperation' from me is false," Wallace stated. "I received no cooperation from the Commission."

He said that although Judge Johnson's order, directing him to permit agents to "such records as are relevant," was entered in the court record before noon, Jan. 5, "no efforts were made by Commission agents to contact me until Jan. 7.

"On the morning of Jan. 7," he said, "agents contacted Archie Grubb of Eufaula by telephone, who told them I was in Union Springs and could be contacted there. This was 20 miles from Tuskegee, where the agents then were."

"At 11:45 a.m.," he continued, 'agents of the Commission submitted a long list of records they considered relevant. This was the last day to inspect the records under Judge Johnson's order.

AFTER OFFICE HOURS

"I stayed with the agents continuously until eight o'clock that night—which was four hours after office hours in Clayton," the judge said.

He declared that Circuit Solicitor Trammell—at his request—accompanied the agents to Union Springs to inspect "what I considered relevant records in Bullock County."

"At no time did any agents of the Commission contact me personally for an appointment as Judge Johnson's order required," he claimed.

In his memorandum to the Commission, Wallace said that in addition to requests for certain records, including those for 1956, 1957 and 1958, agents filed a paper titled "Statement of Relevancy."

The statement included the name of one Bullock County complainant, Aaron Sellers, he said, and "a Mr. Jones, a Mr. Morris and a Mrs. Frost, all of Barbour County."

NOT SURE OF NAMES

Wallace charged that the attorneys for the Commission, Charles E. Clark and Berl I. Bernhard, "did not have in their possession, nor did they attach copies of the complaints of these four individuals."

"They were not sure of the first names of Jones, Morris and Frost," Wallace said. "However, they stated they though Morris' first name was George and Jones' first name was Andrew, and they thought Frost's first name was Margaret."

He said his interpretation of the federal court order on Jan. 5 was that the only records relevant to the inquiry "is any information in the registration records pertaining to the three complainants in Barbour County and one complainant in Bullock County."

Wallace said an examination of the records which he ruled were "relevant" disclosed that George Morris was qualified by the Board of Registrars and is now a qualified voter of Barbour County. The application of only one other complainant, Andrew Jones, was found, he said.

Wallace commented that he "lawfully impounded" the voting records of the two counties in his jurisdiction "on sworn complaints of citizens" prior to the issuance of the Commission's subpoena last month and prior to any knowledge on his part that the counties were under investigation.

THREE COMPLAINTS

"This Roman holiday investigation, held in a federal courtroom, surrounded by a circus atmosphere with television platforms and ladders, newsreel cameras and hired publicty agents, was held on three complaints in Barbour County and one in Bullock," he charged.

"All of this expenditure of taxpayers' money, insofar as these two counties were concerned, was made on the pretext of protection of the civil rights of four disgruntled individuals and at the expense of the civil rights of a duly elected state judge and other state officials.

"The manner in which this investigation has been conducted smacks of publicity and propaganda and has shown a total disregard for the courts of this state and its officials," Wallace said.

"The efforts on my part have been solely to protect the dignity of the state's courts and the rights of the people of this state.

"The time has come when we must stand up and defend the rights of the people of Alabama regardless of the personal sacrifices," he concluded.

LARGELY IGNORED

Rights Hearing Draws Handful Of Spectators

Except for a handful of reporters and a few Negroes, Friday's hearing by the U.S. Commission on Civil Rights was largely ignored by Montgomerians.

The scene at 10 a.m.—the time scheduled for the hearing to begin—was in marked contrast to that of the earlier hearing Dec. 8. At the first hearing, the tiny courtroom on the fourth floor of the federal building was packed and the corridors outside were bulging with Negroes, many of them from counties in which complaints about voting rights were made.

The first Negro to arrive Friday was Atty. Fred Gray of Montgomery. He was followed in a few minutes by another Negro attorney, Charles Langford and 10 other Negroes.

NO WHITE SPECTATORS

No white spectators came to the hearing, even though it was not generally known at that time it would be a closed affair.

From 10 a.m. to 10:15, reporters exchanged light conversation while Mrs. Carol Arth, the Commission's executive secretary, filled a pitcher with water for the expected arrival of the commissioners.

Charles E. Barnes, court reporter from Washington, D.C., checked his recording equipment during the waiting period.

At 10:15, David Koonce, press representative for the agency, led the five commissioners into the sparsely occupied room.

A. H. Rosenfeld, director of complaints and information for the Commission, then entered, followed by Executive Director Gordon Tiffany, Charles E. Clark, legal assistant to Commissioner Robert Storey, Burton Stevenson, legal assistant to Commissioner Doyle E. Carlton and Berl I. Bernhard, staff attorney.

When Commissioner John Hannah read his brief statement, calling for an executive session, reporters filed into a room across the hall to await a promised statement at the conclusion of the hearing. The Negro spectators left the building quietly.

County in Alabama Yields Voting Files On Its Own Terms

By CLAUDE SITTON

UNION SPRINGS, Ala., Jan. 14—The Federal Civil Rights Commission today accepted an invitation to examine voter registration records here under terms laid down by the Bullock County grand jury.

[illegible] director of the commission's Division of Complainants, Information and Surveys, at first rejected the offer after reading it here, according to county officials.

Roy C. Holmes, foreman of the jury, implied that the commission aide had attempted to persuade him to withdraw the offensive sections from the invitation.

"That's our report," he commented. "The grand jury will be in session at 10 o'clock Friday morning."

After more than three hours of telephone conferences with commission officials in Washington and elsewhere, Mr. Rosenfeld reversed his stand and he and three aides conducted a review of the records.

The action was widely regarded here as at least a partial victory for defiant local officials because of the tenor of the grand jury's invitation and Mr. Rosenfeld's previous declaration that the commission would deal only with Circuit Judge George C. Wallace.

The state jurist has admittedly defied the commission and a Federal District Court order by relinquishing the records of Bullock and adjacent Barbour County to their respective grand juries instead of to the investiagting agency.

In Montgomery, Judge Frank M. Johnson, Jr. granted an agency request to postpone until tomorrow a hearing in Federal District Court to receive a report as to whether his order to Judge Wallace had been carried out. He is expected to decide then if the state judge is to be cited for contempt, which could lead to a possible jail term.

The agency said its action adhered to a long-established policy of merely gathering information for a report to the President and Congress.

David F. Koonce, the agency's public information officer, contended that it had "not in any way bowed to any grand jury or any state judge in Alabama."

'We Are Satisfied'

"We originally asked through counsel that a way be found for us to inspect the records," he said. "The order of the Federal court provided that way, so we are satisfied."

The Bulock grand jury, hastily called into session yesterday by Judge Wallace to receive the registration files, stated in a stipulation to him that the commission could see the documents "by reason of our permission rather than [its] right."

The statement said that the agency would have to conduct its examination in the presence of the jury's foreman. It then praised the stand taken by Judge Wallace in the controversy over the investigation of alleged violation of Negro voting rights and added:

'We feel that the act of the Civil Rights Commission in coming to Bullock County, Ala., and making a respectful request for use of these records rather than making an arrogant demand is evidence tending to show their new-found recognition of state authority, for which Your Honor is to be further commended."

Mr. Holmes called Mr. Rosenfeld yesterday at near-by Clayton, where the investigators were examining the Barbour County records and invited him to come here. The official accepted the invitation in a return call last night.

Mr. Rosenfeld and Mr. Koonce arrived at the courthouse here at 9 A. M. accompanied by Berl I. Bernhard, staff attorney, and Burton Stevenson and Charles Clark, legal aides to two of the Commissioners.

Hold Price Conference

They conferred with Mr. Holmes and Richard B. Stone, the county solicitor (prosecutor), in the latter's office for less than ten minutes.

"I've got to call Washington," said Mr. Rosenfeld as he emerged. They then apparently called commission officials and the Justice Department attorneys who were representing them before Judge Johnson in Montgomery.

At one point Mr. Clark came into the solicitor's office and approached Mr. Holmes. "That's our report and there's nothing I can do about it," the foreman told him. "All right" replied the legal aide.

After lunch Mr. Rosenfeld conferred briefly with Mr. Holmes and agreed to accept the grand jury's invitation as it stood.

Commenting on these developments, Mr. Koonce said:

"It was the consensus of the staff representatives that the wording [of the report] might require a policy decision from their superiors and further legal advice.

"Accordingly, we told the officials present in the courthouse that there would be a delay while we telephoned for instructions."

BARBOUR AND BULLOCK OPEN VOTE RECORDS TO PROBERS

Grand Jurors Bow To U.S.

FROM PRESS REPORT

CLAYTON, Jan. 14 — Two Alabama grand juries opened voter registration records to civil rights investigators today to end weeks of wrangling about whether Federal agents could see them.

The action came on the eve of a Federal court hearing in Montgomery by a judge who set a deadline of 4 p.m. today for Alabama officials to cooperate. Specifically, Circuit Judge George Wallace of Clayton was under direct orders to make available the voter records of Barbour and Bullock Counties.

Wallace refused and instead turned the records over to the grand juries of the two counties.

He handed the Barbour records to a grand jury here yesterday and today turned over another set to the Bullock County Grand Jury in nearby Union Springs, Ala. The grand juries decided to permit Civil Rights agents to inspect the records in the presence of the grand jury foreman and another county official.

The Bullock Grand Jury said it was demonstrating the "good intention" and "good faith" of "all officials of the circuit and county concerned."

A jury spokesman in Union Springs said he telephoned the offer to the Clayton office when A. H. Rosenfeld, commission complaints director, and three other agents were checking the Barbour County files.

Rosenfeld said he should notify the Bullock jury later on whether the agents would accept the proposal to see the files. The jury, meanwhile, recessed until Friday.

The Bullock jurors, in a partial report making the offer, said the agents' "respectful request for use of the records, rather than making an arrogant demand, tends to show their newfound recognition of state authority." They commended Wallace's stand.

The Bullock jury said, however, any inspection must be done in the presence of the jury foreman and at the convenience of the grand jury. The jurors said the files could not be taken from their custody.

Wallace had recessed the Barbour County Grand Jury until Thursday but its foreman, Winn E. Martin, called it back into session today. It decided to let civil rights agents inspect the records while Martin and another county official, Solicitor Sam LeMaistre, watched.

LeMaistre said the agents had "full access" to the records. Martin said the grand jury was recalled because the agents gave newsmen the impression that they were denied full opportunity to look at the records Monday.

LeMaistre said the examination was "running smoothly . . . the agents have full access to the records."

Federal Judge George M. Johnson Jr. is scheduled to hear a report in the civil rights controversy in Montgomery and observers predicted he may cite Wallace for contempt.

Wallace said he based his action on "a matter of principle of a state judge to perform his judicial functions without any interference."

He told grand jurors that he was "willing to accept the consequences" if his action brought a contempt of Federal court citation.

The Civil Rights Commission has been trying for weeks to inspect voter registration records in several Alabama counties in which there have been complaints that Negroes are denied voting rights.

Johnson last week ordered Wallace to produce the Barbour and Bullock County records by 4 p.m. today.

Wallace impounded the records last October for a local investigation of vote fraud complaints. He handed them to the grand juries with an announcement that he no longer has control of them, but that he did his best "to protect the records" and hold them "inviolate."

Johnson has set a hearing in Federal Court in Montgomery at 10 a.m. tomorrow to find out whether civil rights agents were permitted access to the records.

'Bama Judge, Registrars Face Contempt Charges

(Courier Press Service)

MONTGOMERY, Ala. — Last week's compromise agreement between the U. S. Civil Rights Commission and the state of Alabama did not free Circuit Judge George Wallace of Clayton and five defiant county registrars from possible Federal orders to testify before the Commission, the Courier has learned.

The agreement arranged for investigators from the commission to go into Barbour, Bulloch and Macon Counties and examine registration records which have any bearing on denial of voting rights to Negroes.

But Federal Judge Frank M. Johnson Jr. still has the right to order those involved to appear before the commission and testify should the investigators be denied what they seek.

CRC investigators went into the three counties later and were given access to the voting records. Col. R. H. Rosenfeld, chief of the complaints section of the commission, and an aide studied the records at Tuskegee and made no comment on their findings.

■

AT MID-WEEK, no investigators had appeared in the three counties named. Judge Wallace has records of two counties locked up in his possession. A subcommittee hearing was set for Friday, here.

Judge Wallace and the registrars still face possible U. S. contempt citations should the commission be denied the information it seeks and they still refuse to testify.

Judge Johnson, who wrote the compromise into a court order, stipulated that the time and place for commission investigators to look at the voting files must be "mutually agreed upon" between state and Federal officers to keep from interfering with the state's "proper judicial processes."

DEFIANT JUDGE — Alabama Circuit Judge George C. Wallace waits in his hotel room at Montgomery for federal Judge Frank M. Johnson Jr. to rule whether he is in contempt of court. The action grew out of Wallace's refusal to turn over voter registration records to U.S. Civil Rights Commission agents. (AP Wirephoto).

VOTING RECORD DISPUTE

Judge Is Ordered Tried for Contempt

MONTGOMERY, Ala., Jan. 15 (AP)—An Alabama judge who admittedly courted a jail term by withholding voter records from federal agents today was ordered tried for contempt of federal court.

Circuit Judge George C. Wallace of Clayton, Ala., was ordered to appear in court on Jan. 26 and "show cause, if any there be," why he should not be punished for failure to comply with an earlier court order to produce the records.

Wallace refused to turn over registration files in rural Barbour and Bullock counties to the U.S. Civil Rights Commission which is inquiring into reports that Negroes are being denied voting rights.

He gave them instead to hurriedly summoned grand juries in both counties with the explanation that he had impounded the records originally so the juries could look into claims of voting irregularities.

The juries ultimately made them available to commission investigators, but U.S. Dist. Judge Frank M. Johnson Jr., ruled there was good cause to believe that the Alabama judge "failed and refused" to comply with the federal court order to produce the records.

Accordingly, Johnson instructed Justice Department attorneys to file criminal contempt proceedings immediately, then ordered Wallace to answer the complaint at a hearing at 10 a.m. Jan. 26.

Johnson thus chose to give the Alabama jurist a chance to explain his conduct at the hearing before deciding the issue. But the order made it clear that Wallace will be punished if he fails to convince the federal court that he wasn't in contempt.

If he receives a jail sentence, Wallace could appeal to higher courts. But Johnson could refuse to release him on bond pending the appeal.

Both federal attorneys and Johnson declined to say whether the 39-year-old Wallace, who leaves office as a judge next Monday, will be prosecuted under the civil rights act or under the general laws on contempt.

Neither would they spell out the maximum penalty.

If sentenced to contempt under the civil rights law, the judge could be sentenced to six months in jail and fined $1,000 on a jury trial or 45 days and $300 without a jury.

Wallace, who awaited the verdict in Montgomery, had nothing to say about Johnson's action. However, when he turned the records over to the grand juries, he told them he was ready to "face the consequences."

He had contended from the outset of the civil rights controversy that the federal government had no lawful access to the records as long as they were in the custody of his court.

Wallace, a classmate of Johnson at the University of Alabama nearly 20 years ago, gave up his seat on the State court when he decided to run for governor instead of for re-election to the bench. He was runnerup in the gubernatorial race in 1958. His six-year term expires next Monday and his brother, Jack Wallace, also of Clayton, will succeed him.

Judge Wallace (center) Talks with Attorneys (AP Wirephoto)

Wallace says agents used 'bug' device

CLAYTON, Ala., Feb. 9—Former Circuit Judge George C. Wallace has charged U. S. Civil Rights Commission agents with using "bugging" devices in their investigations.

Wallace said he had been able to prevent the agents from using electronic recordings in their Barbour and Bullock Counties investigations.

THE YOUNG former judge clashed with federal agents over voter registration records.

He said he forced A. H. Rosenfeld, director of the commission's complaint division, to admit he had a recorder on his person but wouldn't use it.

Wallace said in a statement, **"I am of the opinion they were sent into Alabama with a purpose of illegally recording any proceedings or conversation they desired . . . which is the 1959 Washington style."**

He said the commission's "new foray into Alabama is additional evidence of its contempt for any function of state government."

JUDGE WALLACE
CIVIL RIGHTS COMMISSION

U.S. Agents Wind Up Inspection In Bullock

Hearing Due For Wallace Reset Today

By ALLEN GUNN

Federal Civil Rights Commission investigators, after spending Wednesday afternoon examining Bullock County voter registration records, left the courthouse in Union Springs and announced that they "were satisfied with what they found," according to Roy C. Holmes, county grand jury foreman.

Holmes said, "They told us their investigation of the records was complete. So far as I know they are through here." Holmes said the investigators did not say whether or not they planned to return for further examination.

Meanwhile U.S. District Judge Frank M. Johnson Jr. postponed for 24 hours a hearing on whether Circuit Judge George C. Wallace has complied sufficiently with the federal jurist's order to make the voter registration records of Bullock and Barbour counties available for examination by the commission agents on Monday and Tuesday.

After completing their investigation of Barbour County records in Clayton Tuesday, the commission representatives were to begin with the Bullock records Wednesday morning, but didn't.

HEAR BOTH SIDES

At a Wednesday morning hearing, stated by Judge Johnson to hear reports from both sides on the progress of the investigators, Justice Department Atty. Joseph M. F. Ryan Jr. asked for a one-day continuation of the hearing until the commission agents could complete their Bullock investigation. Judge Johnson granted the continuation until 9:30 a.m. Thursday.

When the federal agents arrived in Union Springs for the Bullock records examination Wednesday morning, they refused to proceed after reading a grand jury report which said the commission had demonstrated "a newfound recognition of state authority." A deadlock of several hours duration followed during which the agents protested the wording of the report.

A commission spokesman said later that in view of the wording the agents decided against going into the records without checking first with Washington. "It was the consensus of the staff representatives present that the wording might require a policy decision from their superiors and further legal advice," the spokesman said.

Ryan said the agents asked him for advice and he told them to go ahead. They began their examination shortly after 1 p.m.

Holmes said that he, Bullock County Solicitor Richard C. Stone and Voter Registrar M. T. Evans were present during the examination by four commission agents. He reported that they examined "the complete voting records of Bullock County." The grand jury foreman said these included accepted voter registration applications, partially completed applications and "rejects." The examination lasted about four hours.

Ryan asked for the continuation in order to present "a full and formal report" to be prepared following completion of examination of all the records in both Barbour and Bullock counties.

ENCOUNTERED DIFFICULTY

The federal attorney told the court that the investigators had encountered some difficulty in securing the desired records in Bullock County. Judge Wallace had called the special grand jury in Bullock County and turned the records over to them Tuesday, just as he had done the day before in Barbour.

After a call from A. H. Rosenfeld, chief of complaints for the commission, to Judge Wallace, Ryan said, Rosenfeld received a call from Holmes late Tuesday afternoon saying the records in Bullock County were being made available to the investigators "at their leisure."

There was no indication as to what action, if any, might be taken against Judge Wallace. Ryan said the commission through its attorneys was not interested in any such action.

"It would be rather presumptuous of me to tell the court how to protect its own dignity," Ryan told newsmen. He said the function of the Justice Dept. in this case is to secure the records the commission desires to see.

"We have secured two-thirds of the records (from Macon and Barbour counties) so far," Ryan said. "When we have seen three-thirds, our job will be done."

Judge Wallace would not comment.

Aides Study Appeal Plan For Wallace

Clayton Jurist Silent On Federal Order To Open Records

An Alabama circuit judge remained silent Saturday on whether he will abide by a federal judge's order to open up voter registration records to U.S. Civil Rights Commission agents.

Meanwhile, attorneys for the jurist, George C. Wallace of Clayton, reportedly were studying the possibility of an appeal from an order issued by federal District Judge Frank M. Johnson Jr. Friday.

If Wallace refuses to turn over the records, he would face a possible jail sentence for contempt of the federal court unless Johnson's order is appealed to higher courts.

The 39-year-old jurist, who was runner-up in the campaign for governor of Alabama last year, had previously said he would jail any federal agent who attempted to investigate his court.

RECORDS IMPOUNDED

Johnson directed that Wallace make voter registration records of Bullock and Barbour counties, which the state judge impounded two months ago, available to the federal agents.

The order specified that the records be made available to the commission investigators between 10 a.m. and 4 p.m. on Monday and Tuesday.

Johnson's order was issued at the request of a representative of the U.S. Attorney General's office in Washington after the commission chairman, John A. Hannah, reported that Wallace had withheld records of the two counties.

Johnson ordered Monday that Civil Rights Commission agents be allowed to go to three counties and inspect records where they are kept.

The federal agents said they were permitted to look at the records in Macon County but that Wallace declined to let them see those of Barbour and Bullock counties, which are in his judicial circuit.

CLAIM DENIED

Wallace denied the commission's claim that he was uncooperative with investigators sent to check the records of the two counties.

He said he agreed to make registration records available on four Negroes who had complained of denial of voting rights in his two counties. Wallace said he felt these were the only records relevant to the investigation.

The district court's order had specified that the commission representatives could look at only "relevant" records.

Johnson made it clear Friday what he meant by relevant. He said it includes all documents pertinent to registration and voting now in existence in Barbour and Bullock counties.

DECLINED TO TESTIFY

Wallace and voter registration officials in the three Alabama counties had declined to testify about Negro voting complaints at a hearing of the Civil Rights Commission last month.

They claimed that as judicial officers of Alabama they were immune to questioning by an agency of the executive branch of government.

The district judge said Wallace can't lawfully claim immunity from the order to produce voter registration records because that didn't require exercise of judicial authority.

His new order also overrode claims of immunity of registration officials in two counties—W. A. Stokes Sr. and J. W. Spencer in Barbour and M. T. Evans in Bullock. Johnson instructed them to appear before the Civil Rights Commission if the agency wants to question them.

Atty. Gen. John Patterson, Alabama's incoming governor, had advised the state officials not to produce their records for the Civil Rights Commission. He contends the commission investigation is an invasion of state's rights.

Dallas, Wilcox Records Target Of Commission

By DON McKEE
Advertiser State Editor

The federal Civil Rights Commission has asked to see registration and voter records in two more Alabama counties in a continuing investigation of complaints that Negroes are denied voting rights.

Target of the new phase of the investigation which began last year are records in Dallas and Wilcox counties.

Circuit Judge James A. Hare, Selma, said Friday he had received a letter from Civil Rights Commission investigator A. H. Rosenfeld requesting an opportunity to examine the counties' voter files.

REFERRED TO JURIES

Hare said copies of Rosenfeld's letter were referred to grand juries which have possession of the records. The special grand juries were convened and impounded the records on Dec. 6, 1958, only two days before the Civil Rights Commission opened a hearing in Montgmery on complaints of vote right denials. The records had been subpoenaed for the hearing.

Although the commission also failed to obtain access to subpoenaed Lowndes County records —impounded by a special grand jury—no request had been made Friday night for examination of the files.

NO COMMUNICATION

Circuit Judge T. Werth Thagard, Greenville, said he had received no communication from the commission in regard to the voter registration records. The Lowndes jury impounded the files the same day identical action was taken in Dallas and Wilcox. One factor which very likely played some part in the omission of a request to Thagard is that testimony at the December hearing showed no Negroes have applied for registration in Lowndes.

Hare said Friday that the grand juries in Dallas and Wilcox probably would be called back into session within the next 10 days to consider the request.

CONSIDER REQUEST

Dallas jury foreman Irby Moore appointed a three-member committee of jurors to consider the request and "to take such course as you may deem advisable and report your recommendations to he grand jury."

Rosenfeld, who led a four-man eam of federal investigators in he battle to examine Barbour and Bullock county records, wrote Hare:

"We are requesting an opportunity to examine the registration and voting records of Da and Wilcox counties which ha been impounded and are now in possession of grand juries."

Hare said he acknowledged receipt of the letter and wrote Rosenfeld that the request was being referred to the grand juries "for such action as the grand juries may deem necessary."

By making his request of Hare, Rosenfeld followed the procedure he employed in seeking impounded records held by Barbour and Bullock juries. In that situation, th federal agent refused to deal directly with the grand juries, although the juries eventually made he records available to him.

Jurist Gives No Comment On Affidavit

Secret Cooperation By Wallace Claimed In Records Probe

Judge George C. Wallace Friday night declined comment on claims that he secretly cooperated with investigators of the federal Civil Rights Commission while outwardly defying a federal court order to do so.

The claims were made in a sworn affidavit which was made a part of the official court record of the proceedings of the court action in the controversy over whether the commission had the right to examine voter registration files of Macon, Barbour and Bullock counties.

A. H. Rosenfeld, director of the commission's bureau of complaints, signed the notarized affidavit which was submitted in open court Thursday before U.S. District Judge Frank M. Johnson Jr. Wallace's attorneys failed to object to the affidavit.

'RECORD SPEAKS'

"I have no comment to make on what Rosenfeld said," Judge Wallace said Friday night. "He works for the Civil Rights Commission. The record speaks for itself."

Rosenfeld claimed in the affidavit that he received a nighttime telephone call from Wallace in which the Clayton judge implied that the records would be turned over to Rosenfeld and other commission agents for investigation.

Following an order of Judge Johnson instructing Judge Wallace to turn the records over to the commission agents for inspection, Rosenfeld said he and the other agents went to Clayton Monday to see the records. They arrived to find that Judge Wallace has hastily called a grand jury into session to turn the records over to it.

'TELEPHONE ME'

However, on Monday night, Rosenfeld's affadavit says, "Judge Wallace telephoned me and advised me that if I could send two of my agents to Barbour County and the remainder to Bullock County the next morning, he believed we could see the records."

The sworn statement claims that Wallace repeated the grand jury procedure in Bullock County, again refusing to turn the records over to the agents in that county on Tuesday. The commission investigators went to Clayton Tuesday where they were given access to the Barbour County records.

But at approximately 3 p.m. Tuesday, Rosenfeld's affadavit says, "Wallace called me from Union Springs and advised me to the effect that we could see the Bullock records if I called the grand jury."

Another affadavit from Charles E. Clark, one of the commission investigators, said that on Jan. 8 he and investigator Berl I. Bernhard went to Clayton in an effort to see the desired records. He said in his statement that Wallace agreed to show them any record dealing with specific complaints received by the commission.

The investigators were shown at that time "a registration book containing the name of one George Morris listed as registered" and "registration applications of George Morris and Andrew Jones," the statement says.

Later that night in Union Springs they were shown "two registration applications of Arron Sellers," Clark said.

When Wallace turned the records over to the Barbour grand jury, he told them, "I have kept them (the records) intact and inviolate."

Committee To Raise Funds For Wallace

ANDALUSIA (AP)—A committee of Covington County residents was being organized Friday to raise funds to help foot the bill if Circuit Judge George Wallace is fined for contempt of Federal Court.

Saxon Wise, a tractor dealer, was named committee chairman. Other members are Tom Jay, real estate man; Ed Dannelley, editor of the weekly Andalusia Star-News; and Bill Jones, forestry consultant.

Dannelley said he was informed similar committees were being organized in Pike, Crenshaw, Conecuh and Barbour counties.

Wallace, of Clayton, has been ordered to appear before U.S. Dist. Judge Frank Johnson Jr., at Montgomery Jan. 26 to show cause why he should not be punished for contempt of court.

The circuit judge declined to give voter registration records for Barbour and Bullock counties to agents of the U.S. Civil Rights Commission. Instead, he turned them over to grand juries of the two counties.

The agents later were permitted by the juries to view the records.

Wallace Says Rights Agents Use 'Buggers'

CLAYTON, Ala. (AP) — A former Alabama judge who clashed with federal agents over voter registration records charged Saturday that U.S. Civil Rights Commission agents use "bugging" devices in their investigations.

George Wallace, a practicing attorney who just ended a term as circuit judge, said he was able to keep the agents from using electronic recorders in their Barbour and Bullock County investigations.

But he said he forced A. H. Rosenfeld, director of the commission's complaint division, to admit he had such a recorder on his person but wouldn't use it.

"I have no proof to the contrary," Wallace said in a statement Saturday, "but I am of the opinion they were sent into Alabama with a purpose of illegally recording any proceeding or conversation they desired. . . which is the 1959 Washington style."

Wallace said the Civil Rights Commission's "New foray into Alabama is additional evidence of their contempt for any function of state government."

"The Civil Rights Commission will act as a Gestapo agency if allowed," he said. "They have to be dealt with at arms length because they will distort any happenings, to suit their own convenience.

"They will twist the truth in an attempt to discredit, for their job is to attack and smear the institutions of the South and Alabama. And they attack and smear any official who dares to resist them."

Wallace flirted with a federal court contempt citation last month when he refused to obey a court order directing him to turn over voter registration records of Barbour and Bullock County to civil rights agents.

COMPLAINT DISMISSED

A contempt complaint was filed against Wallace by the Justice Department but U. S. District Judge Frank M. Johnson dismissed it. His order said the federal agents were allowed to see the records even though Wallace turned them over to grand juries in two counties.

The federal judge's order said Wallace had actually cooperated with the federal agents in their efforts to see the records. However, the foremen of the two juries denied under oath in the federal court that Wallace influenced them in their decision to let the commission agents see the records.

Wallace said he informed the agents that any electronic recording device, better known as a "bugger" which is so often used by Washington investigators, could not be used while they were in Barbour and Bullock counties.

"Whereupon Col. Rosenfeld said he had a recording device but very courteously and politely told me he had no intention of using it. . . that he would never use such a device to record the proceedings of a court and that he knew it would not be proper," the former judge said.

Wallace said Rosenfeld then took the device from his pocket and laid it on a table.

The former jurist said Circuit Solicitor Seymour Trammell and county solicitor Sam Lemaistre were witnesses to the incident.

Negro Vote Denials Reported Uncovered

By Richard L. Lyons
Staff Reporter

The Civil Rights Commission's examination of Alabama voting records produced information backing complaints that Negroes have been denied the right to register solely because of race.

Commission staff members who studied the records in Macon, Bullock and Barbour counties during the past two weeks declined to comment on their findings. They said these could be released only by the Commission.

But in a final report for the Federal court in Montgomery, which pried open the records, the Commission staff said its spot checks of registration applications had produced "helpful information" and that a more detailed study would simply be "cumulative."

The examination of Negro and white registration applications reportedly confirmed charges that white registrars in the three heavily Negro-populated rural counties had followed a pattern of holding down Negro registrations to maintain the solid white voting majority.

Such a finding would not be surprising in these areas where Negroes outnumber white persons as much as 6 to 1 in population, but trail as much as 80 to 1 in voter registration. Until proved by records or testimony of officials, however, the only basis for this oft-made charge is the complaints of Negroes involved and common belief.

In a separate development, it was reported that the Justice Department will file suit in Federal court in Montgomery in a few days seeking an injunction to force registration of qualified Negroes in Macon County.

Attorney General William P. Rogers told reporters Thursday that such a suit would be filed, but would not say where. Yesterday he refused to confirm or deny published reports that it involved Macon County.

The Justice Department, like the Civil Rights Commission, has received complaints from Macon County Negroes, particularly those in Tuskegee where a group of college professors and Federal hospital workers have made an all-out effort to register.

Unlike some Alabama counties where no Negroes are registered, more than 500 have registered in Macon County in the past eight years. But 24 Negro physicians, teachers, ministers and nurses told the Civil Rights Commission at hearings last month that they had been turned down repeatedly, though they were sure they met qualifications.

The Civil Rights Commission is entirely separate from the Justice Department. And the Commission assured Southern Senators last year that it did not intend to use its subpoena power to produce facts for the Justice Department which has no such power to compel testimony. The Department will ask Congress this year to give it subpoena power in voting cases.

The Justice Department has made its Macon County investigation independent of the Commission. Department officials said they have not seen the information which the Commission obtained from examining Macon County records. But the Department could under the 1957 Civil Rights Act seek an injunction if it appeared from what information the Department could obtain that a Negro's voting rights had been or were about to be violated.

Rights Commission Asks Dallas, Wilcox Records

MONTGOMERY, Feb. 8 (AP) — A battle between Federal and state authorities over voter registration practices has spread into two more Alabama counties — Dallas and Wilcox.

It followed a suit filed in U. S. District Court here Friday against two former registration officials in Macon County where Negroes outnumber whites by more than six to one.

The suit brought by the Justice Department against E. P. Livingston and State Rep. Grady Rogers, ex-members of the Macon County Board of Registrars, charges they denied qualified Negroes the right to vote.

District Judge Frank M. Johnston Jr. was asked to stop further discrimination against Negroes because of their race or color.

Livingston described the Justice Department action as "just another infringement by the Federal government on our homes, our schools and the Southern way of life."

While the U. S. Civil Rights Commission declined to say what further investigations will be made into Negro voting complaints in Alabama, a request was received for the Dallas and Wilcox County records.

Circuit Solicitor Blanchard L. McLeod confirmed from his office at Camden that a letter dated Feb. 3 was received from A. H. Rosenfeld, director of the commission's division of complaints, asking to see the records.

The letter was addressed to Circuit Judge James A. Hare whose circuit includes Dallas, Wilcox and three other Black Belt counties where Negroes predominate. He previously had turned the records over to grand juries.

McLeod said Rosenfeld's request probably will be turned over to grand juries in the two counties in the next week or 10 days.

Dallas, Wilcox Counties Face Investigations

By DONALD F. MARTIN

MONTGOMERY, Ala. — (UPI) — The Federal Civil Rights Commission broadened its probe of alleged violations of Negro voting rights to two more Alabama counties Saturday and state officials denounced the move as a "damn shame."

The bitter feud between the commission and Alabama was extended to Dallas and Wilcox counties localted in the heart of Alabama's cotton growing Black Belt.

The Black Belt is a wide strip of land which stretches across the center of the state known for its fertile soil and shady plantations of Civil War days.

Circuit Judge James A. Hare of Selma, Ala., reported he received a letter from Col. A. H. Rosenfeld, chief investigator for the commission, demanding to examine the voter registration records in the two counties.

GIVEN TO JURIES

Hare said he turned the latter over to grand juries in each county which have impounded the documents.

The juries were hastily summoned Dec. 6, just two days before the commission staged its first hearing on Negro vote discrimination. The records had been subpenaed by the commission for the hearing.

Disclosure of the investigation came one day after the Justice Department filed suit in U. S. Middle District Court here charging the Macon County Board of Registrars with discriminating against Negro voter applicants.

The suit also tests, for the first time, utilization of segregated facilities in the registration process.

PATTERSON DENOUNCES SUIT

Gov. John Patterson, former attorney general who ordered registrars not to produce vote records for the commission, denounced the suit as an "absolute outrage."

The suit names resigned registrars Grady Rogers, now a state representative, and E. P. Livingston as defendants on grounds they took leave of office before their successors were appointed.

"I think it is a damn shame," said Livingston. "It is just another infringement by the federal government on our homes, our schools and the southern way of life."

Patterson, plainly angered by the suit and the fact that Rogers was served by federal deputies while the Legislature was in session, charged "this is another example of the reprehensible and irresponsible attitude that the present administration in Washington is taking towards states and state officials."

Two More Counties Under Fire

MONTGOMERY, Ala. (UPI)— The federal Civil Rights Commission has demanded to examine registration and voter records in two more central Alabama counties, it was learned today.

Target of the new phase which began last year are records in Dallas and Wilcox counties, located in the heart of Alabama's cotton-producing Black Belt.

Circuit Judge James A. Hare of Selma, Ala. reported he received a letter from Civil Rights Commission chief investigator, Col. A. H. Rosenfeld, requesting an opportunity to examine the county's registration records.

Hare said copies of Rosenfeld's letter were shunted to grand juries which have possession of the records.

The grand juries were hastily summoned Dec. 6, 1958, just two days before the commission opened its first hearing here on alleged violations of Negro voting rights. The records had been subpoenaed for the two-day heating.

GRAND JURY SESSION

Hare said the grand juries in Dallas and Wilcox probably would be called into session within 10 days to study the commission request.

Dallas Jury Foreman Irby Moore appointed a three-member committee of jurors to consider the request and "to take such course as you may deem advisable and report your recommendations to the grand jury."

INQUIRY IN TALLADEGA REVEALS:

'Rights' Probers Won't Find Much On Barred Voters

Talladega Home

Qualified applicants are registered as voters in Talladega County regardless of race, The Daily Home has been informed by persons in position to know.

That apparently - unchallenged fact would seem to eliminate any investigation of local registration policies by the Federal Civil Rights Commission, but the status of records there probably gives an accurate indication of what the federal probers will find when they inspect the records of the counties where it has been charged that Negroes are barred from voter qualification because of race.

The investigators won't find anything very much, apparently, because there's no legal requirement that registrars keep any record of applicants who have been refused, and they aren't kept.

In Talladega County the registrars transmit to the Probate Office the beat-by-beat list of persons registered and from those listings the poll list is prepared.

The information sent to the Probate Office contains the address, race, sex, age and birth date of the registrant.

County officials said that only in recent years has the race of successful applicants been listed.

Used to Object

"As a matter of fact," one said, "Negroes used to object to being classified as Negroes on voting lists.

The applicant for voter registration here, as in other counties, is confronted with a four-page questionnaire which must be executed to the satisfaction of the registrars.

The section listing action of the board carries this notation:

"The act of actually determining an applicant entitled to be registered is judicial. A majority of the board must concur. A majority must be present. The power cannot be delegated. Each member present must vote on each application. Not until this is done may a certificate be issued the applicant."

It will be remembered that Attorney General John Patterson has contended that registrars are judicial officers and thus not legally subject to question by the federal investigators.

In the questionnaire the applicant is asked to give pertinant data on age and present address, marital status, places of residence during the last five years, name or names by which known during that period, employment status and residential information.

Qualifications

He is asked whether his name has ever previously been stricken from the list of persons registered and whether he is or ever has been a "dope addict or an habitual drunkard."

The applicant is asked whether

Four lines are provided for naming "some of the duties and obligations of citizenship".

One space is provided for the questioning of a supporting witness.

Under the space provided for listing "action of the board" provision is made only for recording the decision on applicants held qualified to be registered.

"This application blank when duly executed on the final preparation of the 'lists' of persons registered, must be delivered by the Board of Registrars to the probate judge of the county, whose duty it is to safely preserve it and all accompanying papers," a footnote reads.

he has ever been legally declared insane and whether he has ever been charged with or convicted of a felony or offense involving moral turpitude.

Among other questions he is asked as to education and business experience, whether he has served in the armed forces and whether he has ever been expelled from school or dishonorably discharged from the armed forces of the United States or any other country.

The applicant must say whether he will support and defend the constitutions of the state and the United States and, among other things, whether he "will bear arms for your counry when called upon by it to do so."

For Demo convention—

Patterson, Wallace may battle again

MONTGOMERY, Ala., Feb. 6 —(AP)— Gov. John Patterson and ex-Circuit Judge George Wallace, arch-rivals of the last governor's race, may contend again for seats at the 1960 Democratic National Convention.

Patterson said yesterday his candidacy for convention delegate depends on several things, including the feeling of the people at that time.

Declining to say definitely whether he will or will not run, the governor said: "If things look as good then (in 1960) as they do now, I would be pleased to go to the convention."

Patterson plans to attend a national party committee meeting in Washington Feb. 26-28.

STATE DEMOCRATIC Chairman Sam Engelhardt, elected last month with the governor's support, also plans to attend the Washington meeting, at which it may be decided how many Delegates Alabama and other states may send to the convention. Alabama sent 52 delegates in 1956.

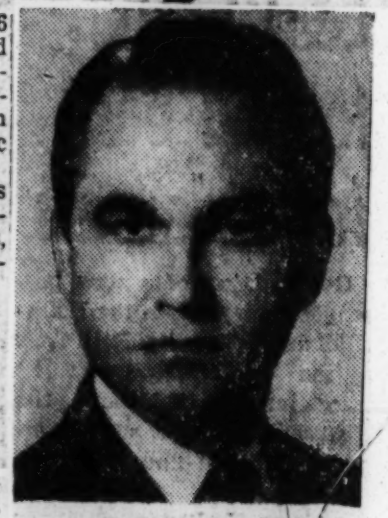
Wallace, now practicing law at Clayton, Ala., was mentioned as a potential delegate. He also is considered a prospective candidate for the Senate against Sen. John Sparkman next year as well as for governor again in 1962.

But the fiery ex-judge, visiting here yesterday, wasn't talking about future political plans. He was a delegate to the 1956 convention and a non-walkout delegate in 1948.

Patterson, speaking on his party plans, said he believes the governor "ought to take an active part in the convention and be sort of a titular leader."

EX-GOV. JAMES E. FOLSOM, the last governor to try it, was defeated in 1948.

Alabama's other national committee member is Mrs. Lennard Thomas, also of Montgomery.



GEORGE C. WALLACE
. . . National Demo post?

GOV. PATTERSON
. . . May lock with rival

Wallace says he didn't seek jail sentence

"I haven't got anything on my mind right now but practicing law," said ex-Judge George C. Wallace here today.

"I'm having an office fixed up, and my plans are to stay down in the country where I've always been."

Wallace was in Birmingham today to address a luncheon meeting of the Alabama Independent Automobile Dealers Assn.

The Barbour County ex-official who spent most of his last weeks in office tangling with the Federal Civil Rights Commission and a district federal court, tried hard to stay off the subject of the court case.

HE POINTED out that he still could be jailed on a contempt citation from the court anytime within the next five years.

He said he'd heard rumors that "some people" had said he was trying to go to jail to prove a point, and flatly denied them.

"I've no desire to go to jail," he said. "That wouldn't prove anything."

Wallace, who was acquitted of contempt of U. S. District Court this week, admitted the tangle with federal authorities that climaxed a busy year for him had left him tired.

OF HIS UNSUCCESSFUL campaign for governor, he said: "This is a great state, and I'm not sorry, even though I lost. I hope John Patterson makes a great governor and that he is successful in meeting all the problems in the next four years and that he can solve them successfully in the interest of constitutional government."

He predicted more rough sledding ahead in the civil rights field.

"They got their foot in the door with this last act of Congress, and nothing you can do or say will cause them to let up on their efforts," he said.

"THE CIVIL Rights Commission is determined to supervise the application of state laws because they can't believe that Alabama officials have the integrity to supervise application of their own laws."

"But I'd trust the integrity of officials of Alabama before I would trust the motives or the integrity of the Civil Rights Commission — or the Justice Department."

He added that Alabama officials "should make them respect us" by maintaining a stand for local government.

"But at the same time," he said, "we should make it clear that there is no desire to illegally, discriminate against anybody."

U.S. Defied By Judge In Alabama

CLAYTON, Ala. (AP) — Circuit Judge George Wallace, admittedly inviting a jail sentence, ignored a federal court order Monday and refused to hand voter registration records to the U.S. Civil Rights Commission.

Wallace, with an avowed willingness to "face the consequences," turned the records in Barbour County over to a hurriedly summoned county grand jury. He left it up to the 18 jurors to say whether the federal agents get to see the files as part of their investigation of alleged denial of voting rights to Negroes.

OFFER REJECTED

Four hours after it had been empaneled, the jury said commission agents had been invited to "examine these records jointly with us."

The report said the agents rejected the offer.

Wallace thus faced the risk of a federal jail term for contempt of court because the commission investigators didn't get to see the requested registration files.

He acknowledged that possibility when he told the jury he was ready to "face the consequences."

CITES AUTHORITY

A. H. Rosenfeld, director of the commission's bureau of complaints, said he and other agents refused to look at the records "because we have no authority to deal with the grand jury. Our authority is to deal with Judge Wallace."

Another grand jury is expected to be empaneled in adjoining Bullock County Tuesday to take custody of the registration records there.

Wallace, who previously had impounded the records in both counties and refused to surrender them to the federal government, was ordered by U.S. Dist. Judge Frank M. Johnson last Friday to make the files available between 10 a.m. and 4 p.m. Monday and Tuesday.

Johnson, who can send Wallace to jail for contempt, had nothing to say about Monday's developments. He had already called a hearing for Wednesday morning to determine whether his order was carried out.

The federal judge first ordered Wallace to make the records available to civil rights agents a week ago. The defiant Wallace refused, offering to produce only the files on four Negroes who had complained to the commission that they were denied the right to vote.

Johnson, who at first had used only the term "relevant" records, spelled it out clearly to mean all registration and voting files in the two counties, then gave the state judge another chance to comply.

While four civil rights investigators sat listening in the audience, Wallace turned the Barbour County records over to the grand jury with the reminder that "I no longer have control over them, and whoever you want to turn them over to is up to you."

The 39-year-old jurist, runnerup in the race for governor last spring, thus risked a jail term of undetermined length for contempt of court if the federal agents complain to Johnson that they were unable to see the records.

The clash of federal and state authority broke out when the Civil Rights Commission sought access to registration records in six counties for a hearing in Montgomery Dec. 8-9.

Ultimately the dispute resulted in a court order from Johnson to produce the files in Barbour, Bullock and Macon counties. Regis-

trars in Macon County were dismissed from the complaint when they made their records available.

Wallace impounded the files in Barbour and Bullock even before the commission subpoenaed them and before it was publicly made known that the investigation had extended to those counties.

He acted on sworn complaints of irregularities in the registration of some voters and attempts to register others.

Alabama Opinion Divided Over Battle of the Judges

By DONALD F. MARTIN

MONTGOMERY, Ala., (UPI)—Public opinion was split Tuesday over who won the battle of the judges—federal jurist Frank M. Johnson Jr. or fellow Alabama circuit Judge George C. Wallace.

Wallace claimed victory on grounds the United States Middle District court here dismissed criminal contempt charges against him "although I openly defied the federal court and the civil rights commission."

Wallace contended he issued a challenge of state versus federal authority and Johnson refused to accept it.

The five-foot, seven-inch, 150-pound ex-judge repeatedly emphasized he failed to obey three separate orders to produce voter registration records in Barbour and Bullock counties for commission investigators.

Johnso, refused to enter the controversy. He referred all questions to his acquittal opinion Monday which held his former college colleague "attempted to give the impression he was defying" when actually, "though devious means," he assisted the agents in obtaining the records.

A cheer went up in the courtroom when Johnson said "you are a free man" to his former classmate at the University of Alabama law school. Spectators surged forward to shake Wallace's hand as Johnson rapped his gavel repeatedly in a futile effort to restore order.

Wallace appeared relaxed for the first time in the month-old feud.

Smiling as he worked his way out of the federal building, the former jurist turned down an outstretched hand filled with money from a woman who had apparently thought he neded funds to pay his defense counsel.

There were scattered cries of "Our George has shown the Washington boys we won't be licked."

But an hour later, the bahtam ex-judge appeared far from jubilant with Johnson's ruling.

"I knew all they would do is try to smear me," he charged. "Those fedeal boys backed themselves in a corner and they wanted to get out a long time ago. I told people that weeks ago and now all they have tried to do is crucify me."

Wallace repeatedly asserted he risked his freedom for a "grave constitutional question" — the right of the federal government to check into the actions of a state court.

He maintained politics had nothing to do with his stand and he referre- to Johnson's verbal spanking as evidence of the 'smear against me."

Judge silent—

U. S. agent says Wallace helped him get records

MONTGOMERY, Ala., Jan. 17—(AP)—The record speaks for itself, Circuit Judge George Wallace said in declining comment on a federal agents' statment he cooperated with them in getting access to voter records.

A. H. Rosenfeld, director of complaints for the U. S. Civil Rights Commission, made the claim in a sworn statement which he filed with the Federal District Court.

His statement was included as a part of the records of the court proceedings which resulted in Wallace being cited for contempt for failing to produce the records for federal agents under a federal court order.

"I have no comment on anything Mr. Rosenfeld has to say," Wallace said Friday. "He works for the Civil Rights Commission. The record speaks for itself."

U. S. DISTRICT JUDGE Frank Johnson has set a hearing Jan. 26 on his motion for Wallace show cause why he should not be punished for failure to comply with the order.

Johnson commented in court his order had in fact been carried out but through "devious methods" and not as he directed.

In his sworn statement Rosenfeld said Wallace telephoned him Monday night and suggested the federal agents might be able to see the Borbour County records even though they had been turned over to a Grand Jury.

The Barbour jury had offered that day to let commission agents inspect the records in the presence of the Grand Jury.

WHEN ROSENFELD declined the offer, the jury met again Tuesday and revised its proposal, saying the agents might see the records in the presence of the foreman and county solicitor.

Wallace empaneled a Grand Jury at Union Springs Tuesday a few hours before Rosenfeld agreed to inspect the records at Clayton under the revised plan.

While agents were in Clayton, Rosenfeld said "Wallace called me from Union Springs and advised me to the effect that we could see the Bullock records if I called the Grand Jury."

Rosenfeld said he turned down the offer on grounds he was acting under a court order which directed the Alabama judge to make the records available.

Later, the commission official said, he received a call from the foreman of the Bullock County Grand Jury saying the records of that county would be available to commission agents under conditions similar to those in Barbour County.

Committee to raise funds for Wallace

ANDALUSIA, Ala., Jan. 17—(AP)—A committee is being organized in Covington County to raise funds to help Circuit Judge George Wallace pay if the jurist is fined for contempt of federal court.

One of the committee members, Ed Dannelley, editor of the weekly Andalusia Star-News, said he was informed similar committees were being formed in Pike, Crenshaw, Conecuh and Barbour Counties.

Wallace Set To Face Federal Judge Today

Answer Due For Action On Records

Jail and fine, or a minimum of a sharp reprimand from a former law school classmate, is in store for fiery ex-judge George Wallace when he appears in federal court here Monday.

Wallace is scheduled to appear in the court of U.S. District Judge Frank M. Johnson Jr. to answer for his refusal to turn voter records over to the U.S. Civil Rights Commission.

Johnson cited Wallace for contempt two weeks ago when as a circuit judge he failed to comply with an order to let Civil Rights investigators look at voter registration files in Barbour and Bullock counties.

TERM CLOSED

Wallace, 19[illegible] whose term of office closed at [illegible] midnight Jan. 19, now is a private citizen practicing law in Clayton, [illegible] ro home town.

Instead of al[illegible]anding the records to the feder[illegible] fr[illegible] agents who were trying to fi[illegible] out whether Negroes in those and other counties have been denied the right to vote, the 39-year-old jurist gave them instead to hurriedly summoned grand juries in his court.

Although the juries ultimately made the records available, Wallace was ordered to explain his conduct and show cause, "if any there be," why he shouldn't be punished for contempt.

After his term as judge expired, his brother, Jack Wallace took his place on the bench. The bantam judge—he stands 5-7 and weighs 150—bypassed another term on the court and ran for governor instead. He came in second behind Gov. John Patterson in the Democratic Primaries last Spring.

'RELEVANT' RECORDS

Wallace impounded the voter records in the two counties last Oct. 28 and Nov. 21. And when the Civil Rights Commission subpoenaed them for a hearing here Dec. 8-9, he ignored the subpoena and refused to appear.

Registration officials in other counties were equally reluctant to turn over the records, but a compromise agreement was worked out with Johnson's approval, giving the federal agents access to "relevant" records.

Wallace, prominently mentioned as a likely candidate for governor again in 1962 or perhaps for the U.S. Senate against Sen. John Sparkman next year, offered to produce only some of the registration files, saying none of the others were relevant.

The federal judge spelled out his order more in detail then and instructed the judge in state court to produce all files on registration and voting in the two counties.

Wallace, explaining he had impounded the records originally for grand jury investigations of alleged registration fraud, called the juries into session and handed them the records.

In his contempt citation, Johnson accused Wallace of disobeying his order while at the same time using "devious methods" to make the voter files accessible through the grand juries.

FILED AFFIDAVIT

A Civil Rights investigator, A. H. Rosenfeld, had filed an affidavit saying it was the former judge himself who notified him the files would be available.

The county solicitors and grand jury foremen in the two counties have been summoned to testify against Wallace Monday in an apparent effort to put testimony into the records on just what the former judge did.

Johnson and Wallace were friends in their college days and studied law together at the University of Alabama. Wallace got his degree in 1942, the federal judge a year later.

IN WALLACE CASE

Bullock Group Flays Findings

UNION SPRINGS (AP)—A grand jury in state court took sharp issue Wednesday with a federal judge's finding that George Wallace helped federal agents get access to voter records in the jury's custody.

Insisting that Wallace, at that time a judge, had nothing to do with its decision to turn the records over to the Civil Rights Committee, the Bullock County grand jury said in a formal report:

"We resent any accusations or insinuations to the contrary from any source."

The report referred to the decision of U.S. Dist. Judge Frank M. Johnson Jr., in dismissing a contempt of court charge against Wallace in Montgomery Monday.

Johnson, who had ordered the former Clayton, Ala., jurist to give registration records in Barbour and Bullock counties to civil rights agents, ruled that Wallace had complied with his order despite the ex-judge's insistence that he defied the federal court.

Johnson held further that Wallace actually helped the federal agents get access to the records.

The Bullock jury said "We resent the charge. . . against this grand jury" continued in Johnson's decree.

In Montgomery, the federal judge declined to comment on the report.

4 Officials Subpoenaed For Wallace Hearing

Four south Alabama officials have been subpoenaed to appear as witnesses in the contempt hearing of former Circuit Judge George C. Wallace in U.S. District Court here Monday by Dept. of Justice attorneys.

Wallace has been ordered into the federal court to show cause why he should not be convicted of criminal contempt of court for disobeying an order of Judge Frank M. Johnson Jr. to turn voter registration records of Barbour and Bullock counties over to federal civil rights Commission agents for investigation.

Instead of abiding completely by the order, Wallace hurriedly called special grand juries in both counties into session and turned over to them the records which he had previously impounded, pending an investigation of alleged voting irregularities. The grand juries subsequently made the records available to the commission investigators.

FOREMEN SUBPOENAED

The foremen of the two grand juries, Roy C. Holmes of Bullock and Wynn Martin of Barbour, have now been served with subpoenas to appear at the trial along with county solicitors Sam LeMaistre of Barbour and Richard C. Stone of Bullock.

LeMaistre and Holmes confirmed Friday night that they have been served and both said they intend to appear. Neither of the two have been previously contacted about the trial by the Justice Dept. attorneys, they said, and neither knows what testimony is desired of them. Stone declined to comment, and Martin could not be contacted, but it was learned from reliable sources that they were also subpoenaed.

After Wallace turned the records over to the grand juries, Judge Johnson instructed Justice Dept. attorneys Joseph M. F. Ryan Jr. and Robert Owen, who represented the Civil Rights Commission in its court battle to obtain access to the records which had been denied them, to institute criminal contempt of court charges against Wallace.

Judge Johnson has not indicated whether he intends to proceed in the contempt action under the Civil Rights Act which created the commission and made provisions for enforcing its subpoenas or under the normal contempt laws.

Under the act the maximum penalties which can be meted upon conviction are six months imprisonment and a fine of $1,000 with a jury or 45 days imprisonment and a fine of $300 without a jury. The standard contempt proceeding laws leave the penalty to the judge, setting it at anything "within the sound discretion of the court, by fine or imprisonment." There is no provision for a jury trial under the standard procedure, but convictions in either case can be appealed.

At the hearing in which he ordered the contempt proceedings, Judge Johnson stated that "Although dilatory tactics and formal refusals were engaged in, this court's order was in effect though not technically complied with by devious methods employed by Wallace."

DISMISSED ACTION

At that time he also dismissed the civil action brought by the commission to obtain the records after the commission attorneys, Ryan and Owen, reported to the court that the desired records had been seen by the investigators. They included as exhibits with their report affadavits from the investigators reporting on their efforts to see the records in accordance with Judge Johnson's order.

One of the affadavits, from A. H. Rosenfeld, director of complaints, information and surveys for the commission, claimed that although Wallace was openly defying the efforts of the investigators to see the records, he made two telephone calls to them to say that the records would be made available to them.

Another, from investigator Charles Clark, said that in a previous trip to the two counties the investigators had been given those records dealing with Negroes who had made specific complaints to the commission.

When Wallace turned the records over to the grand juries, he told them he had kept the records "intact and inviolate" for them. He also said that he was prepared to take the consequences for defying the federal court order.

Court Reprimands Wallace; Contempt Action Ruled Out

Victory Sign Flashes Again At Hearing

By DICK HINES

One grass roots supporter of controversial Judge George C. Wallace Monday had the satisfaction of seeing an outdated political slogan vindicated.

J. A. Linton, white-haired Pike County farmer wore his "Win with Wallace" button as he sat in the federal courtroom during the contempt hearing for the former Barbour County circuit court judge. He was still wearing it proudly when U.S. Dist. Judge Frank M. Johnson formally acquitted Wallace, who lost out in his bid for the governorship to Atty. Gen. John Patterson last spring.

Linton, who said he lived at "Goshen, Rt. 1," stated that he did not know Wallace personally but was an admirer.

BURST OF APPLAUSE

Many of the some 75 spectators in the small courtroom apparently felt the same way. Several of them were heard to say they were prepared to "pay his fine" if one was assessed.

A burst of applause sounded in the courtroom when Johnson announced his decision but the demonstration was quickly quieted by deputy marshals who shouted: "Order in the courtroom."

After the hearing ended, about 20 supporters from Barbour and Bullock counties, the cigar-smoking judge, his wife and members of his legal staff took a three-block walk to the Jefferson Davis Hotel. Running along in front of the group were newspaper and television cameramen who turned every few steps to snap pictures.

Just before reaching the hotel, Wallace stopped and talked to his attorneys. They then turned back and went to the Bell Building offices of Atty. John Kohn, where a formal statement was prepared.

Wallace returned to the hotel about 90 minutes later and delivered the statement in a manner which characterized his political campaign. He stood in the glaring light of four television cameras as he flailed the "evil" Civil Rights Commission and the Justice Department, while upholding his own role in the investigation of alleged violation of Negro voting rights.

Earlier, Wallace betrayed some nervousness during the court hearing. He fidgeted in his seat and flexed his fingers as witnesses testified.

When he stood up to hear Judge Johnson's ruling, he clasped his hands behind his back.

Judge Holds Disobedience Pretended

By BOB INGRAM

Former Circuit Judge George C. Wallace claimed Monday that his acquittal of charges of contempt of court proved that he had successfully defied the authority of the federal government and the Civil Rights Commission.

But Wallace's claim to a clear cut legal victory was somewhat clouded by the ruling handed down by U.S. District Judge Frank M. Johnson Jr.

Judge Johnson ruled that Wallace was not in contempt of an earlier federal court order because the former Barbour judge had not defied that order. And the federal judge ruled further that Wallace had in fact cooperated with agents of the Civil Rights Commission in securing the voter registration records of Barbour and Bullock counties.

JAN. 9 ORDER

Johnson had issued an order on Jan. 9 instructing Wallace to make the voter registration records of those two counties available to commission agents. This order came after Wallace had defiantly ignored a subpoena from the Civil Rights Commission to produce the records here at a commission hearing called to investigate charges that Negroes had been denied the right to vote.

In finding Wallace not guilty of contempt, Johnson issued a stern reprimand against his former college classmate.

Johnson made no direct accusation of political motives behind Wallace's conduct, but said if that were the case "this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

DAMAGING CONTENT

But perhaps the most damaging content of the ruling by Johnson was his flat accusation that Wallace had pretended to disobey the federal court order while he was in fact complying with it.

Judge Johnson, in commenting on this point in the ruling, said that Wallace "attempted to give the impression he was defying this court's order" when "through devious means (he) assisted said agents in obtaining the records in these two counties."

To back up this observation of Wallace's cooperation, Judge Johnson cited a telephone call Wallace made to commission officials here on the night of Jan. 12 when he told them he "believed" they could see the Barbour and Bullock records the following day. The federal judge also cited two other instances where Wallace reportedly told commission agents that the records could be seen.

PREPARED STATEMENT

Wallace, in a prepared statement released to the press after Johnson's ruling, did not answer Johnson's charge of cooperation specifically, insisting only that he had turned the records over to the grand juries in the two counties "to do with as they saw fit."

This had been the testimony of four of the witnesses at the hearing Monday morning. The solicitors of the two counties and the foremen of the grand juries of the two counties testified the records had been turned over to them by Wallace without any instructions as to what they might do with them.

And all four witnesses—Barbour Solicitor Sam LeMaistre, Barbour foreman Wynn Martin, Bullock Solicitor Richard Stone and Bullock foreman Roy Holmes—insisted that the decision to give the records to commission agents had been reached by the respective juries without coaching from Wallace.

COMMISSION FLARED

Wallace said to call this "devious" shows "a lack of understanding of the independence and procedure of our state courts."

"These characters from the evil Civil Rights Commission and Justice Department were backed to the wall—they were defied and backed down," Wallace declared. "It has been apparent they were hunting a way out. This 1959 attempt to have a second Sherman's march to the sea has been stopped in the Cradle of the Confederacy."

Judge Johnson's ruling in the case, which came at 2:04 p.m., brought a roar of approval of the crowd—mostly made up of Wallace supporters.

And the sudden outburst of applause and cheering brought a stern demand for "order in the court" from Johnson.

Wallace appeared to be slightly ill at ease as he stood while Johnson read the decision in the case. The little ex-judge couldn't decide where he should hold his hands—in front or in back—as the decision was read. But a smile came to his face as the cheer arose from the crowd.

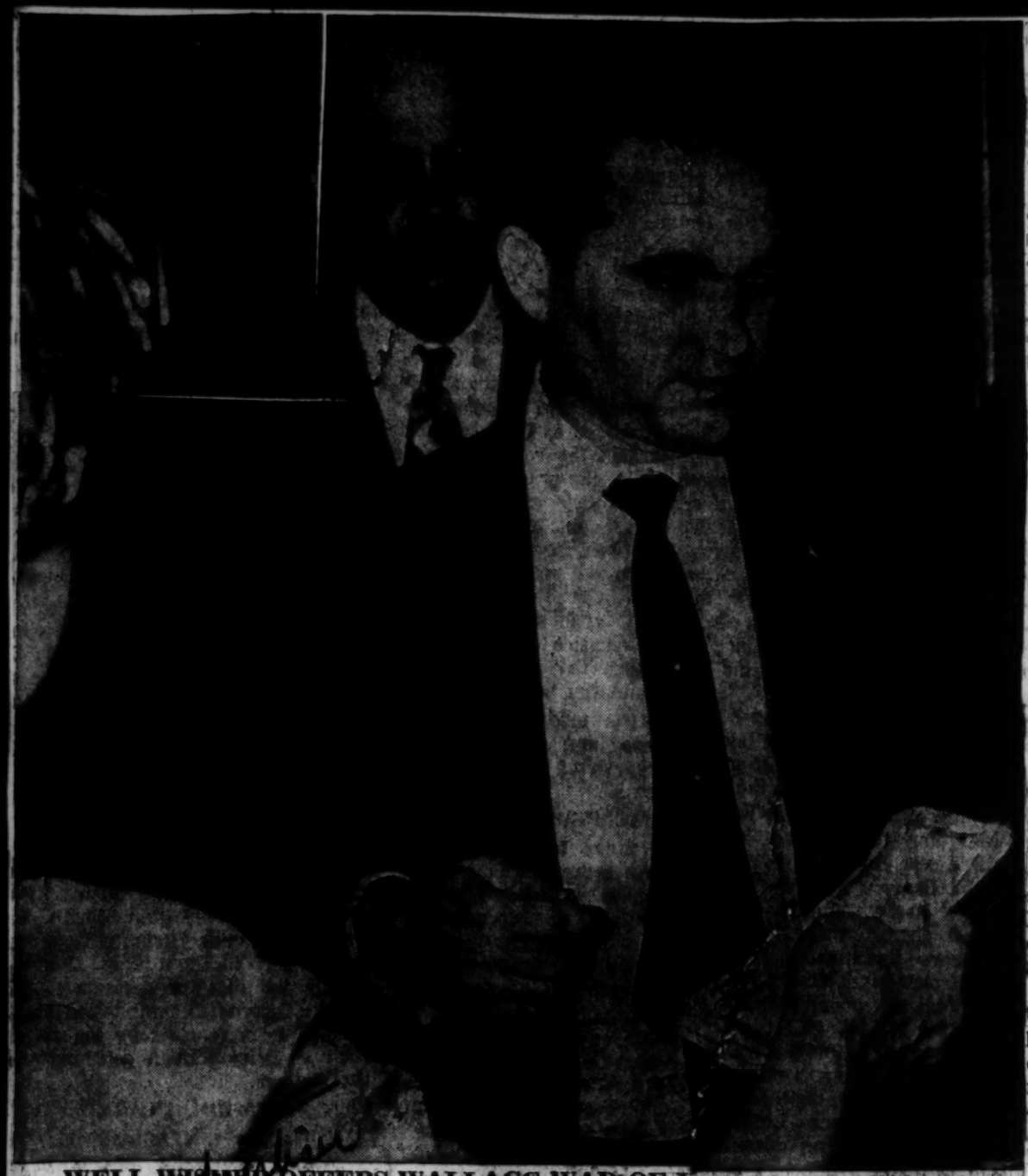
BRIEF SESSION

The morning session was brief and to the point. The hearing, scheduled to begin at 10, didn't get under way until 10:03 a.m. Judge Johnson was late.

A. H. Rosenfeld, director of the complaints division of the Civil Rights Commission, was the first to testify. Next, in order, came LeMaistre, Martin, Stone and Holmes.

All five witnesses had been called by the Justice Department, and all five were questioned only by Joseph M. F. Ryan Jr., attorment. None of them were cross examined by Wallace's counsel, which Monday was headed by John Kohn of Montgomery.

It was at Kohn's suggestion that Wallace did not submit to questions from the press after the decision had been handed down. He merely issued his statement.



WELL-WISHER OFFERS WALLACE WAD OF UNNECESSARY CASH
Former Judge Declines Fine-Paying Money After Contempt Acquittal

5 TESTIFIED AGAINST HIM

George Wallace Made No Courtroom Defense

By ALLEN GUNN

Ex-Circuit Judge George C. Wallace made no courtroom defense in his criminal contempt of court hearing in U.S. District Court here Monday as government prosecuting attorneys called five witneses to testify against him.

Placed on the witness stand by Justice Dept. attorneys Joseph M. F. Ryan Jr. and Robert Owen were A. D. Rosenfeld, director of the office of complaints, information and surveys of the Commission on Civil Rights; County Solicitor Sam LeMaistre of Barbour County; Foreman Wynn E. Martin of the special Barbour County grand jury; County Solicitor Richard Stone of Bullock County and foreman Roy C. Holmes of the Bullock grand jury.

By stipulation agreement of the defense attorneys, Ryan placed in evidence a copy of Judge Johnson's Jan. 9 order instructing Wallace to make the records available to Rosenfeld and his team of commission investigators for inspection, a copy of the memorandum opinion which accompanied the order and the returns of service on the order to Wallace and his attorneys by the U.S. Marshal.

GAIN ACCESS

Rosenfeld, chief witness for the prosecution, told of the efforts of himself and his "team of lawyers" to gain access to the records in accordance with Judge Johnson's order. He testified he and his team went to Clayton on the morning of Monday, Jan. 12 to see the Barbour County records.

Ryan asked Rosenfeld if he was experienced at examining such records. Kohn objected and Judge Johnson sustained the objection.

The order had directed that the records were to be inspected at their locations in the courthouses of Barbour and Bullock counties between the hours of 10 a.m. and 4 p.m. on Jan. 12 and 13. Rosenfeld said they arrived at the Clayton courthouse shortly before 10 a.m., but Wallace was not there. He testified Wallace arrived "sometime after 10:30.

FORMAL REQUEST

"I made a formal request on George Wallace for the records," Rosenfeld told the court. "He informed me he was convening a grand jury to turn the records over to them." Wallace "went upstairs to charge the grand jury," Rosenfeld said, and Rosenfeld called Ryan to report on progress.

Rosenfeld testifed Wallace returned about 11:30 and informed him he had turned the records over to the grand jury. The commission agent said he made another formal request at 1 p.m. and at 4 p.m. asked for the Bullock records from Wallace.

"His reply was he was going to do the same thing there," Rosenfeld said. About 2 p.m. the Barbour grand jury foreman sent word to Rosenfeld that the grand jury would "allow us to look over the records in their presence," he testified, and "I refused." The grand jury then adjourned until the next Thursday.

WALLACE' PRESENCE

The commission official testified he then made the suggestion to LeMaistre in Wallace's presence that "I would look at the records with one of the registrars, the solicitor and the foreman of the grand jury." He then told Wallace "if it were possible for us to see the records the next day, he should call me."

About 8:15 Monday night, Rosenfeld said, Wallace called him and said "if we would send two of our men to Barbour and two to Bullock about 9:30 Tuesday morning, we could see the records."

The agents went to Union Springs to the courthouse there about 9 a.m. Tuesday and found no one there, Rosenfeld testified, and Wallace arrived about 9:50. "I made a specific and formal request for the records before he charged the grand jury," the investigator said. Wallace's answer was that he was going to do the same thing he did in Barbour County, he said.

After Wallace charged the grand jury, he told Rosenfeld he thought if the agents went to Clayton, they could see the records there, Rosenfeld said. The investigator then talked to LeMaistre who told him they could see the Barbour records, he testified. "I asked him to get one of the registrars there," he said. The group investigated the records "from about 12:45 to about 4:45" that afternoon, he said.

RECORDS AVAILABLE

"I telephoned Judge Wallace about 2 p.m. from LeMaistre's office," Rosenfeld testified. "At about three o'clock LeMaistre sent for me. I came down and talked to Judge Wallace. I asked him about the Bullock County records, and he told me to get in touch with the solicitor and the grand jury foreman. I told him my order was to deal with Judge Wallace." He said Wallace then told him, "That's all I have to say."

Rosenfeld said about 4:10 p.m. Holmes called to say the records would be made available. "I said I would let him know," the investigator said.

Wednesday the team went to Union Springs and examined the Bullock records, commencing about 1 p.m., Rosenfeld said.

The defense attorneys declined to cross examine the commission official, but Judge Johnson quizzed him briefly. "When Holmes called you on the 13th after you talked to Wallace, had you made any requests from Holmes," Judge Johnson asked. Rosenfeld's answer was "no." "Did you know him," the federal judge asked. "I never say him before Wednesday," Rosenfeld replied.

GRAND JURY

LeMaistre said the special grand jury in Barbour County was called Jan. 12 and impaneled about 11 a.m. that day. He testified the jury is a special grand jury with no set term which has not completed its investigation (of alleged voting irregularities) and is still in session.

Martin testified he received his grand jury summons Monday morning, Jan. 12, about 7 or 8 a.m., served by the Barbour sheriff. He said the records were turned over to the grand jury, "not physically, they were in the clerk's office," but Judge Wallace said they would be made available to the grand jury. Wallace "turned them over to us to do as we saw fit," Martin said. He said it was the decision of the grand jury to turn the records over to the commission agents.

Stone testified the Bullock grand jury was a regular grand jury which was called in from recess.

SAME PROCEDURE

Holmes testified to much the same procedure followed in turning the records over in Barbour County to the grand jury there. He said it was the decision of the Bullock grand jury to turn the records there over to the commission agents. He testified he called Rosenfeld in Clayton because "I saw in the paper where he was in Clayton. He said the Bullock records were then in the grand jury room at the courthouse in Union Springs.

Under questioning by Judge Johnson, Holmes said no one requested the grand jury make the records available to the commission agents. He said he did not know Rosenfeld then and that Rosenfeld had never formally or informally requested the grand jury to let him see the records.

Wallace Set To Face Federal Judge Today

Answer Due For Action On Records

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Instead of handing the records to the federal agents who were trying to find out whether Negroes in those and other counties have been denied the right to vote, the 39-year-old jurist gave them instead to hurriedly summoned grand juries in his court.

Although the juries ultimately made the records available, Wallace was ordered to explain his conduct and show cause, "if any there be," why he shouldn't be punished for contempt.

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Johnson and Wallace were friends in their college days and studied law together at the University of Alabama. Wallace got his degree in 1942, the federal judge a year later.

U.S. COURT CLEARS ALABAMA JUDGE IN RIGHTS DISPUTE

Finds Wallace Obeyed Edict to Assist Federal Inquiry While Feigning Defiance

DEVIOUS MEANS' NOTED

Contempt Charges Dropped for Jurist Who Gave Voting Files to Grand Juries

By RUSSELL PORTER
Special to The New York Times.

MONTGOMERY, Ala., Jan. 26—Federal Judge Frank M. Johnson Jr. freed former state Judge George C. Wallace today of charges of criminal contempt of court in a civil rights case.

Judge Johnson found that Judge Wallace had complied with a court order while pretending to defy it.

On Jan. 15, Judge Johnson ordered Judge Wallace to show cause today why he should not be held in contempt for turning over registration and voting records to "hastily summoned" grand juries, instead of to the Federal Civil Rights Commission. On Jan. 9 Judge Johnson had ordered Judge Wallace to make the records available to the commission on Jan. 12 and 13. The commission is investigating charges of discrimintion against Negroes.

Today, Judge Johnson said the testimony showed that Judge Wallace "through devious methods" had actually helped the commission get the records from the grand juries.

A Statement Filed

Judge Wallace, whose term expired Jan. 19, did not testify today, called no witnesses, and did not cross-examine any of the five Government witnesses.

However, he filed with the court a written statement that his actions as a state judge were of a judicial nature and could not be questioned.

After an hour's testimany, Judge Johnson took a three-hour recess for luncheon. He then held Judge Wallace not guilty and discharged him.

Judge Johnson found that Judge Wallace had "attempted to give the impression that he was defying this court's order." He also found, however, that Judge Wallace's action in turning the records over to the grand juries did not constitute defiance or disobedience, "since Wallace, from all appearances, continued to maintain control of said records."

Judge Johnson then noted that the testimony indicated that Judge Wallace had actually helped the commission.

'Should Not Comment'

"Even though it was accomplished through subterfuge, Walace did comply with the order of this court," Judge Judge Johnson said. "If these devious means were in good faith considered by Wallace to be essential to the proper exercise of his state judicial functions, this court should not comment on these methods.

"If these devious means were for political purposes, this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

Judge Johnson is a Republican and Judge Wallace a Democrat. Judge Wallace ran second on a segregationist platform in the primary for the gubernatorial nomination last year, losing to another segregationist.

The two judges have been personal friends for years and were classmates at the University of Alabama Law School. Judge Johnson is 40, Judge Wallace 39.

As Circuit Court judge Judge Wallace presided over the courts, of highest Jurisdiction in Barbour, Bullock and Dale Counties.

The courtroom was filled by about 100 spectators, including a dozen reporters, who at in the middle of the public area.

Had Hoped to Test Question

MONTGOMERY, Ala., Jan. 26 (UP)—Judge Wallace later issued a statement saying he had admitted disobeying the Federal order and had hoped his defiance could be taken to a higher authority for ruling.

"It was never my wish to keep the records from the Civil Rights Commission solely for thep urpose of hiding anything the records might contain," he said. "It was my position and is still my position that we have here a case of Federal authority against state authority and I was willing to risk my freedom in order to test the question.

"These characters from the Civil Rights Commission and Justice Departments were backed to the wall—they were defied and backed down," he said. "It has been apparent they were hunting a way out. This 1959 attempt to have a second Sherman's March to the Sea has been stopped in the Cradle of the Confederacy."

Ruling Held Up in Georgia Suit

AMERICUS, Ga., Jan. 26 (UPI)—A Federal judge refused to rule today on a motion to throw out the first voter discrimination suit filed under the 1957 Civil Rights Act.

District Judge J. Hoyt Davis ordered attorneys for both the Federal Government and the Terrell County, Ga., Board of Registrars to submit written briefs.

The Justice Department filed the action last Sept. 4 on behalf of five Negroes, all college graduates, who said the Terrell County Board of Registrars had denied them the right to register to vote.

The registrars replied that they had not exercised any discrimination and that the Negroes had failed tests to determine if their voter applications should be accepted. The registrars filed the motion to dismiss the suit, charging that the civil rights act was unconstitutional.

Probe Sought In Wallace Case

MOBILE (AP) — A congressional investigation into the contempt case against an Alabama judge in U.S. District Court at Montgomery was proposed Tuesday by the Mobile Register.

"It should be a full-dress investigation conducted, in our opinion, by the Senate Judiciary Committee of which Sen. James O. Eastland of Mississippi is chairman," the paper said editorially in its Wednesday edition.

"It should look searchingly into the operations of the federal so-called Civil Rights Commission, with particular attention to its tactics.

"And the handling of the George C. Wallace contempt case by federal Dist. Judge Frank M. Johnson Jr., should come under the closest scrutiny."

Associated Press Wirephoto

CLEARED OF CRIMINAL CONTEMPT: Former State Judge George C. Wallace and his wife entering the Federal Court Building yesterday in Montgomery, Ala.

34e 1959 ALABAMA

JUDGE WALLACE
CIVIL RIGHTS COMMISSION

Acquitted Alabama Ex-Judge Calls Firmness Victory Key

MONTGOMERY, Ala., Jan. 27 (AP).—A former State judge says he defied the authority of the Federal Civil Rights Commission and the Federal Government and that both backed down.

Ex-Judge George Wallace was acquitted yesterday of a contempt charge involving the civil rights agency.

Mr. Wallace insisted, however, that he had disobeyed a Federal Court order despite the court's rulin gthat he had complied with the order and had actually helped the commission in obtaining access to voter registration records.

"They were defied and backed down," Mr. Wallace said.

"This only shows that if you resist them (Federal agents) and back them to the wall, they will hunt any way to back away."

U. S. Judge's Reasoning

Mr. Wallace's term expired last week. He was under court order from United States District Judge Frank M. Johnson, jr., to make the records available to commission agents. Instead he turned them over to grand juries in two counties.

Judge Johnson ruled yesterday that because the grand juries made the records available for examination, Mr. Wallace carried out the effect of his order and only pretended to defy the court.

The Federal jurist said Mr. Wallace from all appearances retained control of the registration records after giving them to the grand jurors. And it was Mr. Wallace himself who actually notified agents the records would be made available, he noted.

Accordingly, Judge Johnson dismissed the contempt charge against the Clayton (Ala.) lawyer, who was runnerup in the Democratic primaries for governor last year. He is regarded as a likely candidate for that same office in 1962 or perhaps for the United States Senate next year.

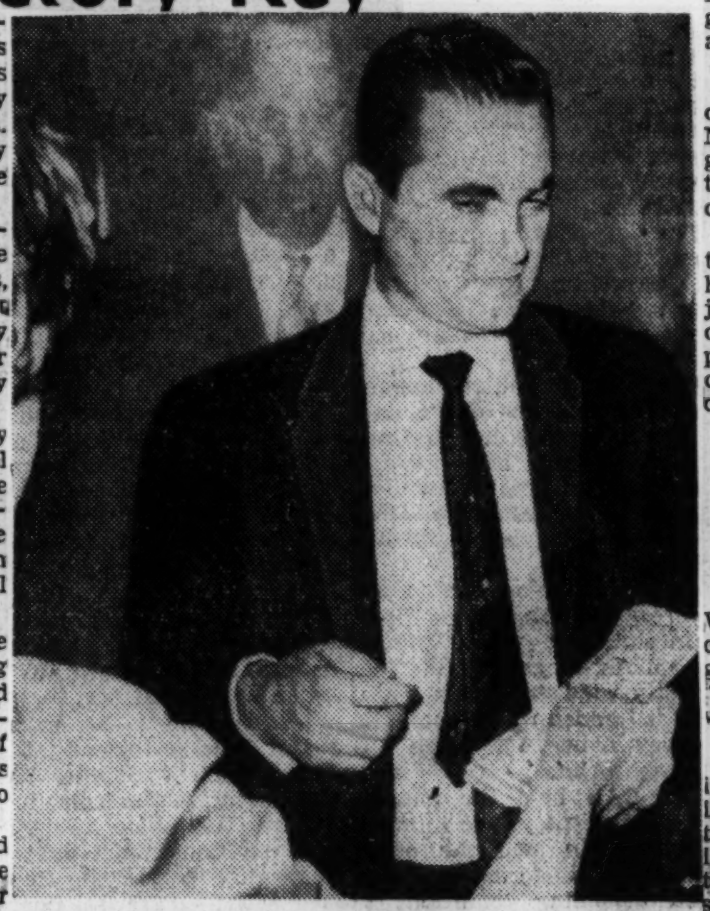
The 39-year-old Wallace said he interpreted his acquittal as a vindication of his stand against the Civil Rights Commission and its inquiry into Negro voting complaints. "It has been apparent they were hunting a way out," he asserted.

Judge Johnson, without accusing his former college classmate of political motives, said, however, that "this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

Mr. Wallace declined to say whether he has any political plans, but took issue with Judge Johnson on that point. He insisted there was nothing in the court record to justify any such observation by the Federal judge.

Although Mr. Wallace pleaded guilty to disobeying the decree, Judge Johnson said Mr. Wallace merely used devious methods and means of subterfuge to comply with his order to show the records to agents.

Mr. Wallace said he acted within his right as a State judge when he withheld voter records from commission agents and gave them to the grand juries.



MONEY HE DIDN'T NEED—Former Circuit Judge George Wallace refuses a bundle of fine-paying money pushed at him by an admirer. He didn't need any cash for fines. A Federal judge had just dismissed a contempt of court charge.—AP Wirephoto.

Wallace will face Johnson, may go to jail

MONTGOMERY, Ala., Jan. 16—(AP)—Barbour County's Judge George Wallace can be sent to jail if he fails to convince a federal judge he was justified in withholding voter records from U. S. Civil Rights Commission agents.

Federal attorneys filed criminal contempt proceedings yesterday against Circuit Judge Wallace of Clayton for failure to comply with a court order to produce the registration files.

Wallace must appear in court at 10 a.m. Jan. 26 to "show cause, if any there be," why he should not be punished for giving the records to hurriedly called grand juries in rural Bullock and Barbour counties.

COMMISSION AGENTS, inquiring into alleged denial of Negro voting rights, ultimately gained access to the files through the grand juries and completed their investigation.

Wallace had refused to show the records to agents on grounds he was holding them for grand jury investigation on complaints of voting irregularities. He impounded the files before the commission's inquiry in the two counties began.

Although the grand juries made the records available for examination, U. S. Dist. Judge Frank M. Johnson Jr. ordered Wallace tried for contempt for not producing the files for agents as he demanded.

While the hearing will give Wallace a chance to explain his conduct, Johnson said there was good cause to believe the jurist "failed and refused" to comply with his order.

THE FEDERAL JUDGE made it clear Wallace will be punished if he fails to convince him that he wasn't in contempt. Wallace could appeal any jail sentence to higher courts, but Johnson can refuse to release him on bond pending the appeal.

U. S. Files Rights Suit In Alabama

Contends Negroes Were Prevented From Registering

By Richard L. Lyons
Staff Reporter

The Justice Department filed a suit in Montgomery, Ala., yesterday charging that voting officials in Macon County have discriminated against Negroes. The suit asked the Federal court to order it stopped.

The suit repeated as charges many of the complaints voiced by Negroes at the Civil Rights Commission's hearing in Montgomery two months ago.

The Government said county registrars have illegally discriminated against Negroes by applying tougher standards to them, accepting their applications at "irregular and unreasonable" hours, periodically refusing to function at all to avoid registering Negroes, refusing to register qualified Negroes who did get a chance to apply and using separate registration rooms for Negro and white persons.

First Court Challenge

W. Wilson White, Assistant Attorney General in charge of the Civil Rights Division, said this was the first time use of separate registration rooms has been challenged in couortt. Registration of both races at one time anad place would make discrimination more difficult, he said. Negroes could find the place and discriminatory tactics would be more readily apparent, he said.

Negro witnesses had told the Commission of standing in line for days and of being admitted only two at a time to a room for a two-hour test, while white persons registered in larger groups in a few minutes.

This is the second suit the Government has brought under the 1957 Act which authorized it to initiate court action to protest voting rights. The first was in Georgia where regisration records are open to public inspection. In Alabama and some other Southern states, the records are not public documents and the Justice Department, which makes subpoena power, has been unable to examine them.

Records Not Available

The Justice Department has not been able to check Macon County complaints against official records, but felt it had grounds for a suit on the separate-room issue alone. Once the case gets into court, the court can order the records produced.

President Eisenhower has asked Congress to give the Justice Department power to look at voting records. The

Alabama legislature is considering a bill to permit destruction of rejected registration applications. If it passes before the suit comes to trial, there may be no records to check.

Defendants in the Government's suit were the Macon County Board of Rgistrars specifically Grady Rogers and E. D. Livingston.

Both members resigned last December when the Civil Rights Commission obtained a court order for their records. The Justice Department took the position that they couldn't resign because Alabama law keeps them in office until their successors are qualified. At present Macon County has no functioning registration board, a situation that has existed for periods totaling more than three years out of the last 12.

Macon is a rural county containing the Negro cultural center of Tuskegee, many of whose residents teach or work at the Negro college or the Negro-staffed Veterans hospital. The county population is about 4 to 1 Negro, but the voter lists are 3 to 1 white.

The Government's suit said this disparity "has been brought about and is being perpetuated by discriminatory acts and practices" for many years.

In addition to holding down Negro registrations, Alabama has gerrymandered most Negro voters out of the town of Tuskegee and has considered abolishing the County entirely to dissipate the stretngth of its Negro vote.

The suit said "many" qualified Negroes have been turned down by Macon's registrars solely because they are Negroes. It listed 20 such persons, most of them college educated and one who holds a doctor of philosophy degree from Boston University. It asked for a court order permanently prohibiting the alleged practices and ordering the registration of qualified Negroes.

Several of the 20 Negroes listed in the Justice Department's suit had testified at the Civil Rights Commission's hearing.

U.S. Court Frees Alabama Judge

MONTGOMERY, Ala. (AP)—A federal judge dismissed a contempt charge against George Wallace Monday on grounds the former state judge only pretended, he said, to defy an order to show voter records to the Civil Rights Commission.

U. S. Dist. Judge Frank M. Johnson Jr. said the fiery former judge, despite "devious methods," actually helped the commission in an investigation of Negro voting complaints.

Wallace was cleared of the contempt charge after a hearing called for him to show cause why he should not be punished for giving the records of two counties to grand juries instead of federal agents as Johnson ordered.

POLITICS SCOUTED

Johnson made no direct accusation of political motives behind Wallace's conduct, but said if that were the case, "this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

Wallace was runnerup in the Democratic primary race for governor last spring, and is regarded as a likely candidate for that office again in 1962 or perhaps for the U. S. Senate next year.

A practicing attorney since his term as judge expired last week, Wallace left the courtroom without comment.

Johnson accused his former college classmate of using "devious methods" to turn registration records over to hastily summoned grand juries in Barbour and Bullock counties instead of handing them to federal agents in compliance with a federal court order.

'SUBTERFUGE' CHARGE

But, the federal judge added, "even though it was accomplished through means of subterfuge," Wallace did comply with the order when the records were made available by the grand juries.

Johnson recalled testimony at Wallace's contempt hearing earlier in the day which showed it was the ex-judge who actually notified the commission the voting records would be made available.

And even though Wallace insisted he gave up custody of the records, Johnson said that from all appearances he still retained control of them.

The decree said Wallace attempted to give the impression he was defying this court's order by turning the records over to the grand juries, but that actually he assisted the federal agents.

In dismissing the contempt charge, Johnson rejected a written plea of guilty in which the defendant told the court he had refused to comply with its order.

Later Wallace issued a prepared statement charging that "the Civil Rights Commission and Justice Department were backed to the wall—they were defied and backed down."

"This only shows," said Wallace, "that if you resist 'em (federal agents) and back them to the wall, they will hunt any way to back away."

As to Johnson's charge that "devious methods" were employed, Wallace said this showed "a lack of understanding of the independence and procedure of our state courts" by the federal jurist.

Wallace said there was nothing in the testimony before the court either directly or indirectly to support Johnson's statement suggesting that politics might have inspired the actions.

Associated Press Wirephoto

FEDERAL COURT CLEARS ALABAMA OFFICIAL

Former Circuit Judge Wallace, Wife at Hearing

Alabama Registration Officials Accused In Vote Denial Cases

MONTGOMERY, Ala. (AP) — Voter registration officials in Macon County were accused in U.S District Court Friday of a systematic denial of voting rights to Negroes.

The Justice Department, acting under the federal Civil Rights Act, filed a petition here asking for an injunction to put an stop to the alleged racial discrimination.

It was submitted to the same judge, Frank M. Johnson Jr., who recently ordered voter registration records in Macon and two other Alabama counties turned over to the U.S Civil Rights Commission after state authorities had refused to produce them.

The suit charged that voter registrars in the county where the famed Negro school, Tuskegee Institute, is located have "persisted for many years" in denying Negroes the right to vote solely because of their race.

Specifically, it accused board members of:

1. Using "separate and discriminatory" facilities to accommodate prospective white and Negro voters.

2. Failure and refusal to function as a registration board. At times in the past, the county has been without a board as long as 18 months.

3. Keeping irregular and unreasonable office hours and using "other evasive schemes" to keep Negroes from registering as voters.

4. Setting up different and "more stringent" standards for Negroes than for white applicants.

5. Failure to register qualified Negro applicants.

Negroes who testified at the Civil Rights Commission hearing here Dec. 8 complained that the board at Tuskegee furnished more adequate facilities for prospective white voters; refused to meet at times required by law; refused to notify Negroes whether they had been accepted or rejected; and subjected Negroes to tests which were not given to white applicants.

Fight Is Centered In Tuskegee

Votes Tussle May Be Bigger Than The School Issue

By JACK V. FOX

MONTGOMERY, Ala.— (UPI)— A new battle on the broad front of Negro segregation is heating up in the first capital of the Confederacy.

It is being waged over Negro voting.

It has the potential of overshadowing, by far, integration of the schools as it goes to the roots of white supremacy in the Deep South. In one of the counties affected, Negroes outnumber whites by seven to one.

Involved is the effectiveness of President Eisenhower's new Civil Rights Commission in conflict with state sovereignty. Involved indirectly is Tuskegee Institute, the 78-year-old Negro university located 40 miles from here amid the red clay cotton and peanut fields and the piney woods.

Caught up personally were two young judges, once classmates and friends at the University of Alabama.

The first skirmish reached its climax Monday when U. S. District Judge Frank M. Johnson Jr., 42 dropped a contempt of court charge that could have jailed former Circuit Judge George Wallace, 39.

Wallace was charged with defying a federal court order to make available to investigators of the Civil Rights Commission the voter registration records of nearby Barbour and Bullock counties where complaints have been made that Negroes were being denied the opportunity to register.

The case was an offshot of the first field investigation Eisenhower's commission has made of Negro voting discrimination. The commission met here in December and heard reports of denials of Negro registration.

One document drawn up by Tuskegee, noted that in Macon county where the Institute is located, there was a Negro population of 27,384 and 3,177 white residents, but that only 1,100 Negroes were registered against 3,016 whites.

Macon County Board Is Sued

Justice Department Cites Civil Rights Act

SECOND ONE FILED

From The Commercial Appeal Washington Bureau

WASHINGTON, Feb. 6.—The Justice Department filed suit Friday to enjoin reported discriminatory practices against Negroes attempting to register to vote in Macon County, Ala.

The suit was the second filed by the department under the 1957 Civil Rights Act. The act empowers the Government to initiate court action in cases of alleged deprivation of voting rights.

First Suit In Georgia

Terrell County, Ga., was the site of the first action brought by the Government under the 1957 act. Trial of that complaint is pending.

Friday's suit, for the first time, asked that segregated facilities for registering be banned as discriminatory.

Other alleged practices the Federal District Court in Montgomery, Ala., was asked to prohibit were:

1. Refusal of the Board of Registrars to convene, thus hampering would-e Negro registrants.

2. Use of different procedures for registering Negro applicants from those used for whites.

4. Application of more stringent standards to Negro registration applicants.

Named as defendants were the Macon County Board of Registrars and two individual registrars, Grady Rogers, also a state representative, and E. P. Livingston. The latter two resigned their offices last December when the Civil Rights Commission was investigating voting rights complaints.

The Government's suit took the position that "under applicable law . . . they are required to continue to perform duties . . . as registrars until their successors are appointed and have qualified."

20 Negroes Named

The suit named 20 Negroes who were alleged to have been deprived unconstitutionally of the right to register because of their race. Twelve were described as college graduates and the others as having finished high school.

Macon County is the site of Tuskegee Institute for Negroes. The Government's suit said 3,016 white persons are registered to vote in the county out of about 3,100 of voting age, or about 97 per cent.

On the other hand, the Government contended, only 1,110 Negroes are registered out of about 14,000 of voting age, or only about eight per cent.

Although the Government advanced the figures, a three-judge Federal Court ruled in Mississippi last year that such statistics are not indisputable evidence that qualified Negroes have been denied registration privileges.

Marshal's Action Denounced By Legislators

MONTGOMERY, Ala., Feb. 6. —(AP)—Action of a Deputy United States Marshal in serving legal papers on Representative Grady Rogers at the state capitol touched off an angry outcry Friday from the legislator's colleagues.

The papers notified Mr. Rogers that he was a defendant in the Justice Department's suit charging discrimination against prospective Negro voters in Macon County.

Mr. Rogers was a member of the voter registration board in that county, but resigned last December.

The Legislature was in session when the Marshal sent word to the Macon County legislator on the House floor that he wanted to see him in the rotunda outside the chamber. He handed Mr. Rogers the papers there.

Gov. John Patterson denounced the action as "an absolute outrage" and said it "typifies the attitude of the Federal Government toward states."

Bill to protect vote registrars nears hopper

MONTGOMERY, Ala., Feb. 3—(AP)—A bill aimed at keeping federal agents from getting access to Alabama voter registration records was ready for introduction in the Legislature today.

It would allow registration officials to dispose of old records and would prohibit them from disclosing their contents to anyone but an Alabama circuit judge.

THE MEASURE, sponsored by Sen. Walter Givhan of Dallas County, would give registrars authority to throw away the questionnaires filed out by prospective voters who were later turned down.

But since Alabama law gives rejected applicants 30 days to appeal to court, registration boards would have to preserve the questionnaires that long.

THE STATE Constitution requires prospective voters to fill out the questionnaire, which is prepared by the state Supreme Court. It is designed as an aid in determining the applicant's fitness to vote.

Givhan's bill was aimed at preventing a recurrence of the hassle which grew out of the Civil Rights Commission hearing in Montgomery.

Permanent Injunction Sought To Ban Alleged Discrimination

MONTGOMERY, Ala. — (UPI) — The Justice Department filed suit in federal court here Friday charging the Macon County Board of Registrars with violation of Negro voting rights.

The suit sought a permanent injunction against the board to banish alleged discrimination in the registration process.

The Justice Department made it clear the suit had nothing to do with the federal Civil Rights Commission, which recently completed an investigation of alleged violation of Negro rights in three Central Alabama counties, including Macon.

The suit also tests, for the first time, the use of segregated facilities in the registration process.

WHITES OUTNUMBERED 7-1

Negroes outnumber whites 7-1 in Macon County, home of famed Tuskegee Institute and located in the heart of the cotton-growing black belt which stretches across the center of the state.

The 1957 Legislature attempted to ablish the county in an effort to maintain white supremacy, but failed when counties surrounding the Negro dominated territory could not agree on how to absorb it.

Defendants in the suit are resigned registrars, Grady Rogers and E. P. Livingston. Both men refused to testify before the Civil Rights Commission hearing here Dec. 8-9.

The department said the men were named as defendants because, under the law, they are required to serve as registration officials until their successors are appointed.

This is the second voting right suit filed by the department's new Civil Rights Division created last year. The first suit charged Terrell County, Ga., registrars with refusal to register "fully qualified" Negroes, four of whom were school teachers. Trial is pending at Columbus, Ga.

CHARGES DIFFERENT STANDARDS

Friday's suit complained that in Macon white voters registered to vote number 3,016 out of about 3,100 or approximately 97 percent. The suit says only 1,110 Negroes out of approximately 14,000 or 8 percent, are registered.

"The disparity between the respective percentages of white and Negro citizens of voting age," the suit contended, "has been brought about and is being perpetuated by racially- discriminatory acts and practices of the defendants."

The suit charged the registrars utilized "different and more stringent standards" for Negroes than for white applicants. It said one regulation applied to prospective Negro voters was that they be able to read and write any article of the U. S. Constitution.

The complaint listed 12 college graduates, most of them with advanced degrees, and 12 high school graduates who were turned down by the board "for reason of race or color."

The government charged the board with failure and refusal to convene and function in order to avoid receiving registration applications from Negroes as well as other "evasive schemes."

Alabaman Cited for Contempt

MONTGOMERY, Ala. —(AP) — Circuit Judge George C. Wallace was cited for criminal contempt of Federal Court Thursday for his refusal to turn over voter registration records to the U.S. Civil Rights Commission.

He was ordered to appear before U.S. District Judge Frank M. Johnson Jr. Jan. 26 and show cause "if any there be" why he should not be punished for contempt.

He could be sentenced to jail.

The federal judge issued the show cause order after directing the Justice Department to file a contempt complaint against the defiant Alabama judge.

Johnson's action came after the Civil Rights Commission reported it was able to inspect registration records in Barbour and Bullock counties despite what it called "dilatory" tactics used by Wallace in turning the records over to grand juries in the two counties instead of to the commission itself.

The federal judge ruled that although the purpose of his order to Wallace to produce the records was carried out when the grand juries allowed federal agents to look at them, the 39-year-old Alabama judge nevertheless must answer for his defiant action.

Wallace was not in the courtroom when Johnson announced his ruling and was represented instead by his attorneys. He was reported to be in Montgomery.

U.S. now seeks Dallas, Wilcox vote records

MONTGOMERY, Ala., Feb. 7—(AP)—A battle between federal and state authorities over voter registration practices has spread into two more Alabama counties—Dallas and Wilcox.

While the U. S. Civil Rights Commission had declined to say what further investigations will be made into Negro voting complaints in Alabama, a request has been received now for the Dallas and Wilcox County records.

Circuit Solicitor Blanchard L. McLeod confirmed from his office at Camden that a letter dated Feb. 3 was received from A. H. Rosenfeld, director of the commission's division of complaints, asking to see the records.

Juries to get letter

THE LETTER was addressed to Circuit Judge James A. Hare whose circuit includes Dallas, Wilcox and three other Black Belt counties where Negroes predominate over whites. He had previously turned the records over to Grand Juries.

Hare's court will be in session next week in Perry County for a Grand Jury and civil court session.

McLeod said the matter of Rosenfeld's request probably will be turned over to the Grand Juries in the two counties.

He declined to speculate on whether the two state investigating bodies will choose to release the records to federal agents.

U. S. suit filed

THE REQUEST for the Wilcox and Dallas voter records came on the heels of a suit filed in U. S. District Court here Friday against two former registration officials in nearby Macon County where Negroes outnumber whites by more than six to one.

The suit brought by the Justice Department against E. P. Livingston and State Rep. Grady Rogers, ex-members of the Macon County Board of Registrars, charges they denied "qualified" Negroes the right to vote.

District Judge Frank M. Johnson Jr. was asked to stop further discrimination against Negroes because of their race or color.

Alabama Readies Bill to Block Rights Probers

MONTGOMERY, Ala., Feb. 1 (AP) — A bill to sidetrack civil rights probers is slated for consideration during a special session of the Alabama Legislature beginning Tuesday.

Although Gov. John Patterson called the emergency session for action on a $60-million road-bond issue, he has promised to support the measure, aimed at curbing Federal inquiries in the bud.

State Sen. Walter Givhan of Dallas County, a Citizens Council leader, said he will offer a bill to allow county boards of registrars to destroy application questionnaires of would-be voters who fail the test.

The legislation is an outgrowth of the recent Federal-state wrangle over voter registration. Givhan said his bill is an effort to prevent the Civil Rights Commission from subpoenaing voter files as it did for a hearing here early in December.

If Givhan's proposal is enacted, voter registrars could dispose of their files and reply to any other subpoenas that the records are no longer in existance.

Patterson called the legislative session after highway experts warned that Alabama is getting behind in matching available Federal funds for the interstate highway system.

Virginia Developments Fail to Sway Georgia

ATLANTA, Feb. 2 (AP) Virginia's losing school-segregation battle has not changed the attitude of the Georgia Legislature "one whit," a House floor leader says.

The Legislature would rather see all schools closed in Georgia than have an integration, said Rep. William Trotter of LaGrange, a floor leader for the forces of Gov. Ernest Vandiver.

Schools in Norfolk and Arlington, Va., opened today on an integrated basis under Federal court orders. Norfolk schools had been clased under State laws that the Virginia Supreme Court later ruled invalid.

Trotter, speaking on a panel television show Sunday, said Georgia's tuition-grant law has not been tested in the courts and that the mechanics of educating thousands of school children has not been worked out.

Another panelist was former Rep. Hamilton Lokey of Fulton County, who differed with Trotter. Lokey said the Virginia court decisions made it plain that if one school is closed by state segregation laws, eventually all the schools in the state would be shut down.

"A solution we can live with," said Lokey, "is a pupil-placement law similar to that in force in North Carolina. That state has no more than 10 Negroes integrated into its school system."

Lokey, an Atlanta lawyer, said "there must be equal protection under the law," and schools which probably would never have any sort of integration problem will be closed right along with the schools in Atlanta.

Lokey favors local option as a means of preserving the public schools.

U.S. COURT DEFIED ON VOTE RECORDS

Alabama Judge Bars Data From Civil Rights Group

By CLAUDE SITTON
Special to The New York Times.

CLAYTON, Ala., Jan. 12 — State Circuit Judge George C. Wallace today defied a Federal Court order that he throw open the voter registration records of Barbour and Bulock Counties to the Civil Rights Commission.

After refusing to authorize four commission aides to see the files, he turned over the Barbour County records here to a hastily called special grand jury.

Preparations were being made in near-by Union Springs, the county seat of Bullock, to impanel a grand jury there tomorrow for the same purpose.

The Barbour grand jurors declared in a report that they had offered to allow the Civil Rights investigators to look at the records in the jury room, but that this proposal was refused.

A. H. Rosenfeld, director of the commission's Division of Complaints, Information and Surveys, told newsmen that "we have no authority to deal with the grand jury."

Although the state judge declined to comment, it was generally understood that he was fully aware that he risked a contempt citation and a possible jail term.

Judge Frank M. Johnson Jr. issued an order last Friday in Federal District Court in Montgomery directing the circuit judge to make the records available to the commission today and tomorrow from 10 A. M. to 4 P. M.

He told all parties to the dispute over an investigation into complaints that Negro voting rights had been infringed to return to court on Wednesday and report whether his order had been carried out.

Made Two Requests

Mr. Rosenfeld said that he had made two requests to Judge Wallace in a series of conferences in the courthouse here to permit examination of the document. Both were refused, according to him.

Today's events brought a sharpening of tension in this east-central Alabama community of 2,000. A number of officials privately expressed fears that violence might result if the Federal District Court sought to jail the judge.

M. M. Moulthrop, former Mayor of near-by Eufaula, told the 39-year-old judge, "we're not going to let them take you out of your jurisdiction without some show of protest."

"This thing is not to be taken lightly," he later told newsmen. "It's the greatest insult a county could have slapped upon it."

There also was some horseplay directed against the commission representatives. As they sat parked on the courthouse square awaiting word of the grand jury's action, the county tax collector, Stanley Baker, set off eight firecrackers under a car adjacent to the one in which they were sitting.

Mr. Rosenfeld arrived at the courthouse at 10:05 A. M. accompanied by Berl I. Bernhard, staff attorney, and Burton Stevenson and Charles Clark, legal aides to two of the commission members.

In his charge to the grand jury, Judge Wallace pointed out that he was leaving office Jan. 19, and that he had impounded the files in October for investigation of charges that some voters had registered fraudulently. He said he wanted to "clear the way" for his successor, Jack W. Wallace, his brother.

To Examine Records

"I did the best that I could to protect the records of this country in a lawful and legal manner," he declared. "I have no apologies to make for anything I have done for I acted as a matter of principle."

The grand jury recessed until Thursday after deliberations lasting about an hour and a half. In its statement, the jury said it had found "cause for us to examine the records themselves and we have resolved so to do."

The statement noted the presence of Civil Rights representatives and stated:

"It is our considered opinion that we should keep these records in our custody until such time as we can complete our investigation. However, we have offered to the four representatives of the Civil Rights Commission a proposal whereby they might examine these records jointly with us in the courtroom.

"We have been informed that ths proposal was refused by the representatives of the Civil Rights Commission. This offer was made in a spirit of cooperation and in an effort to resolve a controversy which we understand has existed with reference thereto."

Mr. Rosenfeld, asked to comment on the jury's statement, replied: "There was no offer made by us to examine the records in the presence of the grand jury. Our authority is to request the records from Judge Wallace under the terms of the court order."

The commission aide said that when he first met with the judge this morning he had told him that "I had no authority to compromise and that all I was there for was to get the records."

He and the other representatives and Judge Wallace conferred again late today in Union Springs, where court officials were getting ready to summon a special grand jury.

The possibility still existed that the judge might file an appeal from the Federal Court's order. Such an appeal was prepared last night but no action was taken today to place it before Judge Johnson.

Judge Wallace presides over the Circuit Court of Barbour, Bullock and Dale Counties.

U.S. Inquiry Balked By Alabama Judge

By CLAUDE SITTON
Special to The New York Times.

MONTGOMERY, Ala., Jan. 9 — Circuit Court Judge George C. Wallace defied the Civil Rights Commission for a second time by denying it access to voter registration records, the agency's chairman contended today.

In answer to a petition filed by a Justice Department lawyer at the commission's request, Federal District Judge Frank M. Johnson Jr. immediately ordered the Clayton, Ala., jury to permit examination of the Barbour and Bullock County voters records next Monday and Tuesday.

He also directed those involved in the controversy over the investigation of alleged violation of Negro voting rights to return to court Wednesday and report whether the commission's investigators had been given the information.

Judge Wallace declined to say whether he would comply with the order. Failure to do is likely to bring a contempt citation from Judge Johnson, a close personal friend and former law school classmate of Judge Wallace.

Judge Wallace, who ran unsuccessfully last spring for the Democratic gubernatorial nomination, issued a statement contending that he had shown the investigators all records pertinent to their inquiry. In granting the order Judge Johnson pointed out that Judge Wallace, through his attorneys, had agreed to a court-approved compromise throwing open the records to the commission.

This provided that investigators had "the right to inspect official voter registration records in Barbour, Bullock and Macon Counties to the extent they are relevant to the commission's inquiry."

An attorney for Judge Wallace, Preston C. Clayton, said that the judge believed that he had the right to determine what records were relevant. However, Judge Johnson held that the agreement covered all the Barbour and Bullock records that had been impounded by the Circuit Court before the com-

mission's hearing here last December.

Macon Aides Cooperate

That hearing was adjourned after Judge Wallace had refused for the first time to relinquish the records. At the same time the four registrars in Barbour and Bullock and two others from Macon declined to testify. Judge Johnson then ordered them to comply with the commission's subpoenas, but modified the order after the compromise was reached.

The Macon registrars resigned. However, they cooperated earlier this week in an examination of their files.

The compromise stated that the other registrars would not be required to testify if investigators, through a review of the records, gathered all information necessary for the commission's report to the President and Congress.

However, John A. Hannah, commission chairman and president of Michigan State University, told a news conference that when the investigators met with Judge Wallace yesterday in Clayton they got "precious little" information.

He emphasized that the controversy was between Judge Wallace and the District Court. "The commission is out of it," he commented. "We're not going to involve ourselves in any argument with Judge Wallace."

Mr. Hannah's statment followed a two-hour closed hearing in which he and four other members of the six-man panel heard testimony from four staff aides on what they had learned from the inspection of the Macon documents.

Silent on Findings

Mr. Hannah declined to say whether any violations had been found. But he pointed out that under the law the commission was required to go into executive session to receive testimony that "may tend to defame, degrade or incriminate any person."

The commissioners left Montgomery after the hearing. Mr. Hannah said it would determine later whether another hearing here would be necessary. He declared that if the information sought in Barbour and Bullock was made available it might be submitted to the panel in Washington.

He also announced that the commission would hold its next field hearing in New York on Feb. 1, 2 and 3 to look into complaints of racial discrimination in housing.

In a statement, Mr. Hannah said that the agency's investigators had reported that they had received "cooperation from Macon County officials, and it has not been necessary for the commission to take testimony from them."

He then noted that Judge Wallace had refused to cooperate and that the commission had requested the United States Attorney General to obtain a court order directing him to do so.

Judge Wallace, who goes out of office on Jan. 19, issued a statement tonight declaring that the commission's contention was "false."

He said that a Circuit Court official, at his request, had accompanied the investigators to Union Springs for examination of "what I considered relevant records in Bullock County."

Criticizes 1958 Hearing

He then asserted that Judge Johnson's modified order had not defined "what were and what were not relevant records."

The judge also criticized the manner in which the December hearing was held, saying:

"This Roman holiday investigation, in a Federal courtroom sphere with television platforms and ladders, newsreel cameras surrounded by circus atmos- and hired publicity agents, was held on three complaints in Barbour County and one in Bullock.

"All of this expenditure of taxpayers' money insofar as these two counties were concerned was made on the pretext of the protection of the civil rights of four disgruntled individuals and at the expense of the civil rights of a duly qualified state judge and other state officials," he declared.

Judge Wallace also asserted that his action had been "solely to protect the dignity of the state courts and the rights of the people of this state.

"The time has come when we must stand up and defend the rights of the people of Alabama regardless of the personal sacrifice."

RIGHTS UNIT CHIDED BY ALABAMA JUDGE

MONTGOMERY, Ala., Jan. 10 (UPI)—Circuit Judge George C. Wallace today charged that the Civil Rights Commission would not cooperate with him. The judge refused to say whether he would produce voter registration records as ordered by the United States District Court here.

District Judge Frank M. Johnson Jr. ordered Judge Wallace to produce registration records in Barbour and Bullock Counties by 4 P. M. Tuesday.

Judge Johnson issued the order after the commission said Judge Wallace had refused to turn the records over to Federal agents as set forth in an agreement signed Monday by the Federal agency and counsel for the State of Alabama.

The Civil Rights Commission statement that "it received no cooperation' from me is false," Judge Wallace said. "I received no cooperation from the commission."

Judge Wallace impounded the Barbour and Bullock records Oct. 29 after receiving several complaints of election fraud in the spring Democratic primaries. He was the runner-up candidate in the Democratic gubernatorial race, losing out to Attorney General John Patterson.

456(2) 1958 OMEGA PSI PHI FRATERNITY

JUDGE WALLACE
CIVIL RIGHTS COMMISSION

New Vote Probe Opens; Court Complaint Filed

Suit Charges Registrars Adverten In Macon

By ALEX COUNN

The Department of Justice Friday filed suit in Montgomery in an effort to force registration of qualified Negro citizens of Macon County as voters.

In a complaint filed in the U.S. District Court here against the Board of Registrars of Macon County and against Grady Rogers and E. P. Livingston, members of the last functioning board of the county, the U.S. government accused the board, regardless of its membership of "acts and practices" which have "resulted in depriving qualified citizens of their right to vote solely by reason of their race or color."

The complaint seeks a judgment declaring that certain alleged practices are "in violation of the Constitution and laws of the United States, and that the defendants are under the legal duty not to engage in such practices," and an injunction enjoining the defendants and any successors to them in office from persisting in those practices.

'PROPER APPLICATION'

Contained in the complaint is a list of "qualified Negro citizens" who the complaint charges have made "proper application for registration" and have been refused registration "for reason of race or color." Included in the list are 13 Negroes who testified at the December hearing of the federal Civil Rights Commission in Montgomery. These are:

Daniel Webster Wynn, who has a Ph.D. degree from Boston University.

Fidelia Jo Anne Adams, who has a B.S. degree from Tuskegee Institute and is now working for an M.S. degree in organic chemistry at that school.

Mrs. K. Eaton Scott, who has a B.S. degree from North Carolina College, Durham, N.C.

Leida Ruth Williams Davison, who has a B.S. degree from Alabama State College and is now working for a master's degree at Tuskegee Institute.

Betty Alice Henderson, who has a B.S. degree from Miner Teachers College, Washington, D.C.

John W. Jackson Jr., who has a B.S. degree in architecture from Tuskegee Institute.

Charles Edward Miller, who has a B.S. degree in business administration from West Virginia State College.

Doris Ezell Nearror, who has a B.S. degree in nursing education from Tuskegee Institute.

Marie Williams, who is a high school graduate and has had three and a half years towards a degree at Tuskegee Institute.

George C. Busby Sr., who is a high school graduate and has attended the Washington University College of Business Administration.

Roberta A. Lightfoot, who is a high school graduate and a graduate nurse.

Lena Hayden Johnson, who is a high school graduate.

Estelle Johnson, who is a high school graduate.

DID NOT TESTIFY

Others listed who did not testify at the hearings are:

Bettye J. Mindingall Ward, who is a high school graduate and graduate nurse.

Bettie B. Quinn, who is a high school graduate and a graduate nurse.

Artemisia Jones Junier, who has a B.S. degree from Tennessee State College and a graduate degree in library science from Atlanta University.

Llewellyn Wilbert Davis, who has an M.S. degree from Columbia University.

Jordan Davis, who has an A.B. degree and a Bachelor of Divinity degree from Union University, Richmond, Va.

Eugenia Cook Billes, who has an A.B. degree in education from Southern University.

Juanita H. Howard, who is a high school graduate.

COPY OF COMPLAINT

Rogers, who was recently sworn in as a member of the state legislature, was served with a copy of the complaint at the Capitol where he was attending committee meetings of the legislature. A copy was also delivered to the state Attorney General's office.

The suit is brought under a provision of the Civil Rights Act of 1957, the same act which created the Civil Rights Commission. This act also gives jurisdiction in such suits to the federal courts.

The complaint asks for a "declaration of the rights, duties, and legal relations of the parties" in accordance with federal law.

Specifically the complaint asks the court to declare in violation of the Constitution and laws of the United States these alleged practices:

The maintenance of racially segrated registration facilities;

The refusal of a board of registrars to convene or to receive or to act upon applications for registrations for voting for the purpose of preventing Negroes from becoming registered voters;

The following of arbitrary and discriminatory practices as between Negro and white applicants for registration, including the practices of unreasonably delaying the admittance of Negro, but not of white persons, to the registration office; the holding of irregular and unreasonable hours for the receipt of applications of Negroes; the refusal to entertain applications of Negroes at normal business hours; the failure to convene the board at the times announced; the closing of the registration office provided for Negro applicants while registering white applicants elsewhere; the failure to reveal the hours at which the applications of Negroes would be received; and unreasonably prolonging the registration process in the case of those Negroes who finally were admitted to the registration office;

The application of different and more stringent standards to Negro than to white applicants for registration for voting;

The failure to register qualified Negro applicants for registration for voting on account of their race or color.

PERMANENT INJUNCTION

The complaint also askes a permanent injunction enjoining the defendants, their successors, and any agents and employes of the board from:

Maintaining separate offices for Negro and white applicants;

Failing and refusing, on the grounds of race or color, to convene and function as a board of registrars;

Using different facilities and procedures for registering Negro applicants from those used for white applicants;

Failing or refusing, for reasons of race or color, to register the persons listed in the complaint and others similarly situated;

Applying different and more stringent standards and rules to Negro applicants for registration than to white applicants in the administration of registration requirements provided by the constitution and laws of the State of Alabama;

Engaging in any other acts, practices, methods or procedures in whatever form, whether by law, custom, or otherwise, which discriminate or tend to discriminate against any applicant for registration for voting in Macon County on account of his race or color.

The complaint, signed by W. Wilson White, assistant attorney general and chief of the Civil Rights Division of the Dept. of Justice, and U.S. Atty. Hartwell Davis of Montgomery, was prepared by Dept. of Justice lawyers in Washington and sent to Montgomery for filing by the U.S. attorney in the district court, it was understood.

INDEPENDENT AGENCY

The board, according to the complaint, is an independent state agency with the following powers and duties:

To receive and consider application for registration at designated times and places in Macon County;

To register all qualified applicants of Macon County;

To preserve registration records according to state law; and

To operate a registration office.

The complaint charges that for years the board, "whatever its membership," has persisted in acts and practices contrary to "a constitutional obligation fo fulfill the foregoing duties without regard to considerations of race or color" which have "resulted in depriving qualified citizens of their right to vote solely by reason of their race or color."

It charges Rogers and Livingston, while engaged in the course of their official duties, of having "discriminated against qualified Negro citizens on account of their racr of color."

Rogers served as a member of the board from 1951 to 1956, according to the complaint, and he and Livingston became members of the present board in August, 1956 and March 1957, respectively. The complaint also takes note of the resignations of the two from the board last December, claiming that under Alabama law they "are required to continue to perform duties and functions as registrars until their successors are appointed and have qualified."

14,000 NEGROES

The complaint claims there were in 1958 about 3,100 white citizens of voting age in Macon County and 14,000 Negro citizens of voting age. Of these on Dec. 1, 1958, about 3,016 white citizens, or about 97 per cent of the total of voting age, and about 1,110 Negro citizens, or about 8 per cent, were actually registered to vote.

The board is charged in the complaint with numerous discriminatory practices and ruses to discourage or prevent registration of Negro voters. These are the practices from which relief is asked.

Included with the complaint as appendices are sections from the statutes and constitution of Alabama which set forth the qualifications for registration.

Under federal court procedure the defendants have 20 days in which to file an answer. A common answer in suits of this type—and the one most likely to be followed in this case—is a motion to dismiss the suit on legal or technical grounds.

Such a motion would be set for hearing during the next regular motion docket of the federal court which is scheduled for March 11.

Should the motion to dismiss be granted, the suit would be thrown out of court, pending an appeal to a higher tribunal. If the motion to dismiss is denied, the defendants then have 10 days to file their pleadings, another legal way of resisting the suit.

After pleadings are filed, the case is set for a hearing on its merits. Such a suit as this is heard by the federal judge without a jury.

Senate Group Backs Vote Application Bill

By GEORGE PRENTICE

The Alabama Senate Privileges and Elections Committee gave hurried approval of a bill Friday which would allow county registrars to destroy voting applications after its author described the measure as "an urgently needed safeguard."

The measure would allow county boards of registrars to destroy voting applications taken up to the date the proposed act becomes law.

Committee approval of the measure came during a short recess of the Senate in which the group gathered specifically to consider the proposal introduced on the first day of the current special session by Sen. Walter Givhan of Dallas County.

Favorable action by the committee made it possible for a second reading of the bill before the Senate recessed Friday and cleared the way for its passage in advance of an anticipated early adjournment.

ROAD BOND ISSUES

The administration's three highway bond issue bills had their second reading and two new bills were introduced in the upper chamber before it recessed. It will convene again at 11 a.m. next Wednesday, Feb. 11.

The two new bills, identical to proposals already before the House, pertained to organization of a motor pool for control of state - owned vehicles and a change in the law controlling registration of wills probated in other states.

Givhan's bill on voter registration records met some opposition in the committee but only on the use of the word "destroy."

Sen. W. C. Hines of LaFayette, chairman, said he objected to the word "destroy," because of the affect it might have in manufacturing adverse publicity in the "Yankee press."

EARLY PASSAGE

Sen. Givhan said he did not object to changing the word He explained, however, that his primary interest was to seek a favorable report on the bill to allow its early passage.

"Some of our counties now are faced with a depressing condition and it is urgent that something be done," he said.

Sen. L. K. Andrews of Bullock, also a member of the committee, said the word destroy doesn't disturb me a bit."

"We're in this thing with no quarters asked and no quarters given," he continued. "Washington is out to get our scalp and the use of such a term makes little difference."

Sen. Givhan said he felt it "has gotten to the point where I don't care what the Yankee press thinks of us. We've got to do something to help the people of Alabama."

'WRONG IMPRESSION'

Hines said he wanted it fully understood that he did not object to the bill's intent, but that he thought "Alabama should let everyone know we have nothing to hide, and use of the word 'destroy' could possibly leave the wrong impression."

The administration's highway bills again were read at length on recommendation of Senate President Albert Boutwell.

It was the second full reading of the three measures.

Customarily bills are called by number and brief description on first and second reading but the Senate departed briefly from this practice in the opening session last week when the highway bills were read at length on the first reading.

Sen. Andrews, in calling for the initial reading, said there might be some question of constitutionality in the matter.

POSSIBLE FILIBUSTER

It was pointed out later, however, that full reading of the measure on the first call, added another possible filibuster weapon not ordinarily used in the Senate.

A bill which would abolish a requirement that wills probated outside the state be filed in Alabama within five years of the date their first registered, was introduced by Sen. Douglas S. Webb of Atmore. It was referred to the Judiciary Committee as Senate Bill 22.

Sen. A. C. Shelton of Jacksonville introduced the bill for establishment of a motor pool to control state owned vehicles.

About mid morning, the Senate recessed for about 30 minutes to hear Mrs. Ray L. Erb, national chairman of the National Defense Committee of the Daughters of the American Revolution.

SPEAKER RULES

According to rules of the Senate no speaker, other than a member of the upper chamber, can come before that body in formal session.

The flurry of segregation activity in the Senate far overshadowed a brief and uneventful session in the House. Members of the lower chamber found little business to transact and they quickly adjourned for the long weekend.

Gov. Patterson's $60 million road bond bills got their second reading in the lower chamber, just as they did in the Senate. This means that in all likelihood the measures will come up for their first vote next Wednesday.

House members then tossed in 28 more bills for consideration, all but two being local in application. This big crop of new introductions apparently knocked out any chance of an adjournment of the special session next Friday.

It now seems very probable that the session will continue into a third week to allow time for the passage of the local bills introduced Friday.

COMMITTEE DISCUSSES REGISTRAR SUMMONS

The Senate Privileges and Elections Committee, meeting Friday to consider a bill allowing the destruction of voter records, was enlivened when a member of the House was served with a federal court order stemming from his actions as a voter registrar. Discussing the development is Sen. L. K. (Snag) Andrews of Union Springs, standing at right. Seated at the table are Sen. Hugh Moses of Hamilton (left) and Sen. Walter C. Givhan of Safford. Standing at rear are (from left): Charles Cooper of the Legislative Reference Service, Rep. Bob Broadfoot of Lauderdale, Sen. Carl Farmer of Abbeville, Sen. Carl Golson of Lowndes and Sen. Andrews.

Our Opinion

Symbol Of Southern Resistance

The action of Federal Judge Frank M. Johnson who freed his pal and former classmate State Judge George C. Wallace of charges of criminal contempt of court in a civil rights case, is so crude a travesti as to sicken the hearts of all civilized people who believe in law and order.

Wallace turned over registration and voting records of two counties to hastily summoned grand juries, instead of to the Civil Rights Commission as had been ordered by a Federal court.

The Commission, which was investigating charges by qualified Negro voters that their rights had been infringed, subpoenaed both State Judge Wallace and the voters' books during its December hearings. But Wallace ignored the summons on the grounds that the Commission was an inquiring body which had no constitutional right to force compliance with its orders.

The matter was then certified to the Department of Justice which brought action against Wallace in a U. S. District Court. Federal Judge Johnson ordered Wallace to produce the Registration records or at least make them available to the Civil Rights Commission. When he refused to obey that order, he was then held in criminal contempt of court.

According to American jurisprudence, criminal contempt of court is as grave an offense as could possibly be conceived. An ofense which is punishable by fines and jail terms. Yet Judge Johnson dismissed the contempt charge and rejected a written plea of guilty in which the defendant boldly told the court that he had refused to comply with its order.

There is nothing in American legal annals to parallel this weird and incredible episode. It was bad enough to dismiss the criminal action, but to praise Wallace as "actually helping the Commission," is extending the limits of judicial idiocy beyond decency and human tolerance.

To show that the Federal court was wrong in its curious, indefensible construction on the defendant's action, Judge Wallace issued a prepared statement charging that "the Civil Rights Commission and Justice Department were backed to the wall — they were defied and backed down."

"This only shows," he said, "that if you resist 'em (Federal agents) and back them to the wall, they will hunt any way to back away."

He didn't only resist Federal agents, he resisted the Department of Justice and the Federal courts. It is a contemptible behavior which will find plenty imitations in other backwoods communities which already are looking upon Wallace as a knighted symbol of Southern resistance to a meaningless 1957 Civil Rights Act.

This bold defiance, however, is only a challenge to a new social order, it is, without a doubt, a most damaging blow to the prestige and sanctity of the U. S. judicial system. If a judge can at will defy the law that he was trained to respect and sworn to uphold, and get away with his reprehensible act with a pat on the back, then we have taken the first "giant step" toward the revival of the age of darkness and its hellish anarchy. Perhaps we should apply for a one-way ticket to the moon or mars before it becomes over-populated with wild and unwashed segregationists from the Southland.

"Devious," Not "Defiant"

Federal Judge Says Ala. Official Obeyed The Law

By JACK V. FOX

MONTGOMERY, Ala. — (UPI) — A federal judge refused Monday to jail an Alabama official whom he said tried to give the impression of defying the U. S. Civil Rights Commission.

District Judge Frank M. Johnson, Jr., said the defendant, former Alabama Circuit Judge George C. Wallace, used "devious means" but that his actions did not constitute defiance or disobedience.

He cleared Wallace of the first contempt of court charges brought under the new civil rights legislation. He said that although "accomplished through subterfuge" Wallace did, in fact "comply with the order of this court" to produce voter records.

If the impression of defiance created was for political purpose, Johnson said he did not want to judge.

FORMER CLASSMATES

"If these devious means employed by Wallace were for political purposes, then this court refuses to allow its authority and dignity to be bent or swayed by such politically — generated whirlwinds," Johnson said.

Johnson, a former law school classmate of the Clayton, Ala., state judge who stood before him, conceded that Wallace may have been sincere in believing his methods were essential to proper discharge of his state court duties.

"This court feels its sufficient to observe that if these devious means were in good faith considered by Wallace to be essential to the proper exercise of his state judicial functions, then this court will not and should not comment the suit was filed.

Named defendants are James Griggs Raines, chairman of the registrars: Dixon Oxford and Roscoe Radford, registrars, and the late F. Lawson Cook and Mrs. Cook, deputy registrars, Oxford is state revenue commissioner.

Attorneys for the registrars are Charles J. Bloch of Macon, Peter Zach Geer of Colquitt and Robert L. Russell, Jr., Winder.

Geer is executive secretary to Gov. Vandiver and a nephew of Superior Court Judge Walter I. Geer of Colquitt, who appointed the registrars and threatened to jail any "high-handed" civil rights investigators.

Mr. Russell is a brother-in-law of the governor and a nephew of Sen. Richard B. Russell.

JUDGE DEFIES U. S. ORDERS ON VOTER RECORDS

Turns Them Over to County Grand Jury

Clayton, Ala., Jan. 12 (AP)— A defiant Alabama judge turned Barbour county's voter registration records over to a county grand jury Monday in the face of a federal court order to let federal agents see them.

Circuit Judge George C. Wallace, 39, left it up to the 18 members of the grand jury to determine whether agents of the Civil Rights commission get to inspect the records in connection with the commission's investigation of Negro voting complaints.

"The records are yours to do with as you see fit," he told the jurors.

Faces Court Order

Wallace is expected to call another grand jury into session in Bullock county Tuesday to turn custody of that county's records over to the jurors.

He is under federal court

order to make the registration files available to commission investigators between 10 a. m. and 4 p. m. Monday and Tuesday in both counties.

Wallace told the grand jury here that he is "willing to face the consequences" if his action brings a citation for contempt of federal court.

Agents Won't Comment

Civil Rights commission agents who had come here to look at the records were in the courtroom when the judge gave the grand jury custody of the registration files. They refused to discuss the matter with newsmen.

In Washington, a spokesman said the Civil Rights commission "would like very much to see" the records to help with a report due next Sept. 9.

"The commission heard the complaining Negro witnesses and could write a more complete report if it could look at the record," the spokesman said. "But right now it is just having to wait on the federal court and the justice department, which is representing it before the court."

The justice department declined immediate comment on Judge Wallace's actions.

Leaves Office Monday

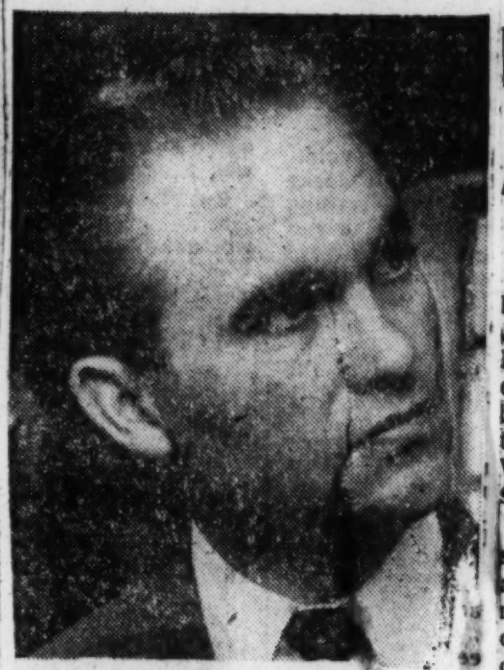
Wallace explained to the jurors that he had impounded the records weeks ago on complaints of irregularities in registration and that he wanted to clear it up before he leaves office next Monday. His brother, Jack Wallace of Clayton, will succeed him as judge.

George Wallace ran for governor in the Democratic primaries last spring and didn't seek reëlection to the bench.

The Wallace Decision

There should be gratification that Federal Judge Frank M. Johnson, Jr., found former Circuit Court Judge George Wallace not to be in contempt of court in his handling of the voter registration records of Bullock and Barbour Counties. Plainly the federal judge would not allow political capital to be made of the situation.

George Wallace in our opinion acted as he did out of a conviction that what he was doing was right, whatever the possible politics involved. Although Wallace in his statement to the Federal Court flatly admitted "guilt" in not having complied with the letter of the law in the Civil Rights Commission's request for the records, the Federal Court rejected this and held that there was no real denial.



Ex-Judge George Wallace

The Federal Court stated that although the judge of the Third Judicial Circuit had turned the records over to the grand juries of Barbour and Bullock Counties, they were still under his control. The records were made available and the Civil Rights Commission agents did see them. Judge Johnson in his decree stated that although Judge Wallace "attempted to give the impression that he was defying this court's order" in effect there was no defiance.

This should bring a close to this particular matter involving voter registration in Alabama. The entire process of inquiry has been disturbing in various respects. But Judge Wallace fought his battle out as he thought it should be fought out, and this acquittal brings a welcome end to the matter.

While we may be glad that the particular issue has been settled by Judge Johnson, it remains clear to all that the fundamental issue, whether a state judge must yield to a federal agency in such a case, has not been resolved. It may be for the good of all concerned that the solution to this question is, simply, left "hanging."

Patterson Hits Summons As 'Outrage'

By BOB INGRAM

Gov. John Patterson declared Friday that the suit filed by the Justice Department against two Macon County registrars "is another example of the reprehensible and irresponsible attitude that the present administration in Washington is taking toward the states and state officials."

Patterson's statement came shortly after Rep. Grady Rogers and E. B. Livingston, recently resigned as members of the Macon Registration Board, had been charged with denying Negroes the right to vote solely because of their race.

Rogers was summoned from his seat in the House of Representatives to be handed the summons, an event which Patterson blasted as an "absolute outrage."

TYPIFYING ATTITUDE

"It is an absolute outrage that a member of the State Legislature was subjected to service of a federal process in the state Capitol while in attendance at the Legislature and while the Legislature was in actual session," Patterson said. "Such action typifies the attitude of the federal government toward the states."

"The federal government, in serving the papers on Rep. Rogers, violated not only the sovereignty of the state of Alabama but the rules of common decency as well," the governor continued. "I personally resent the government's action."

Patterson also took issue with federal authorities that Rogers is still a member of the Macon board despite his resignation in mid-December.

LAW PROHIBITS

Patterson said Alabama law prohibited a public official from holding two offices of profit at the same time.

"The very moment Rep. Rogers was sworn in as a member of the Legislature he was prohibited by law from serving on the board of registrars," Patterson declared.

Atty. Gen. MacDonald Gallion was also served with legal papers informing him of the suit but left the city shortly thereafter and could not be reached for comment.

However, Chief Asst. Atty. Gen. Willard Livingston confirmed that Gallion had been served but that no comment would be made "until we have had a chance to study the contents of the suit."

It was later disclosed that Gallion had dispatched several members of his staff to Tuskegee to investigate the specific cases cited in the suit.

Highway Director Sam Engelhardt, a former legislator from Macon and the sponsor of a bill in 1957 which would have abolished the Negro-dominated county, said he wasn't "surprised at anything that comes out of Washington" pertaining to voter registration.

And Engelhardt noted that the Macon Abolition Commission was still in existence "and can act on a moment's notice."

House Speaker Charles C. Adams of Tallapoosa, who was presiding over the lower chamber at the time Rep. Rogers was called from the room to be served, expressed resentment for what he called the "arrogant action of the federal government."

Adams said he and the House members "deeply resented the high-handed fashion" in which Rep. Rogers was served.

'Bama Calls Suit Outrage

MONTGOMERY, Ala. (UPI)—Alabama reacted angrily today to Justice Department action charging two former "Black Belt" registrars with denying voting rights to Negroes — the second such suit filed by the new civil rights division.

State officials hurled charges of "reprisal" against Alabama for a recent civil rights investigation controversy. Gov. John Patterson described the suit against former registrars Grady Rogers and E. P. Livingston as an "absolute outrage."

Rogers and Livingston refused to testify before a Civil Rights Commission hearing here Dec. 8-9. They resigned their posts in Macon County, site of world-famous Tuskegee Institute for Negroes.

Justice Department claims that the two men are proper defendants in the action because their successors have not been appointed were both disputed.

Rebuttal Statement

Alabama officials also disputed a statement by the Justice Department that the suit, filed in federal cour here Friday, was not connected with the Civil Rights Commission's recent investigation into Negro voter-registration complaints in several "Black Belt" counties, among them Macon.

Fifth Judicial District Solicitor Tom Young called the suit "absolutely ridiculous" and said it "shows a lack of good faith and judgment on the part of the investigators that were in Macon County." He said the civil rights investigators last month checked the Macon County complaints and registration records "and found nothing of significance except some clerical errors.

"The suit just wants to register the Negroes that complained because they are Negroes, not because they are qualified."

Young said he had checked the complaint and charged that it "was filed by the NAACP through the Justice Department — and it has the audacity to enjoin the registrars from resigning."

Patterson, in a strongly- worded statement, said the suit "is another example of the reprehensible and irresponsible attitude the present administration in Washington is taking toward states and state officials."

'ABSOLUTE OUTRAGE'

He said it was an "absolute outrage that a member of the state legislature (Rogers) was subjected to service of a federal process in the state capitol... while the legislature was in actual session."

"The federal government...violated not only the sovereignty of Alabama but the rules of common decency as well. I personally resent the government's action."

The state's attorney general, MacDonald Gallion, and state Sen. L. K. Andrews both said they would defend the former registrars.

The suit is the first federal action aimed at ending segregation practices in registering to vote. According to the suit, Macon County maintains separate registration facilities for Negroes and the government charges this was discriminatory.

U. S. Alabama Suit Asks Negro Voting

By The Associated Press

MONTGOMERY, Ala., Feb. 6—Voter registration officials in Macon County were accused in Federal Court today of a systematic denial of voting rights to Negroes "for many years."

The Justice Department, acting under the Federal Civil Rights Act, filed a petition in District Court asking for an injunction to stop the alleged racial discrimination.

It was submitted to Judge Frank M. Johnson Jr., who recently ordered voter registration records in Macon and two other Alabama counties turned over to the United States Civil Rights Commission after state authorities had refused to produce them.

The suit charged that voter registrars in the county where the famed Negro school, Tuskegee Institute, is located had "persisted for many years" in denying Negroes the right to vote solely because of their race.

Specifically, it accused board members of:

¶Using "separate and discriminatory" facilities to accommodate prospective white and Negro voters.

¶Failure and refusal to function as a registration board. (At times the county has been without a board as long as eighteen months.)

¶Keeping irregular and unreasonable office hours and using "other evasive schemes" to keep Negroes from registering as voters.

¶SSetting up different and "more stringent" standards for Negroes than for white applicants.

¶Failure to register qualified Negro applicants.

The suit filed today said Macon County had 3,016 white voters last Dec. 1 out of a total of 3,100 white resident of voting age, but only 1,110 Negro voters out of an eligible total of 14,000.

Macon County's population counting all age groups is nearly 6—1 Negro.

The suit listed the names of twenty Negroes who complained that they had been denied the right to vote. Twelve are college graduates.

E. P. Livingston and State Representative Grady Rogers were named defendants in the suit even though they announced their resignations as board members in the wake of the civil rights investigation in December.

The Justice Department contended that they must remain in office under Alabama law until their successors had been appointed and installed. No successors have been named.

There was no immediate comment on the suit from Mr. Rogers or Mr. Livingston, who is a brother of Chief Justice Ed Livingston of the Alabama Supreme Court.

Gov. John Patterson sent immediately for a copy of the suit to study it.

The Privileges and Elections Committee of the state Senate held an unscheduled meeting and speedily approved a bill aimed at keeping registration records from Federal agents.

It would give the registrars authority to dispose of the old questionnaires filed out by un-

Judge Again Defies U. S. Rights Quiz

Refuses to Yield Voting Records

MONTGOMERY, Ala., Jan. bama judge stood firm on his states' rights convictions today in face of possible Federal jail term for contempt in refusing to produce voter records.

Just as he did yesterday in his home County of Barbour, Circuit Judge George C. Wallace defied a Federal court order to open Bullock County voter registration records to United States Civil Rights Commission agents. Instead grand jury which he empaneled today to investigate complaints of irregularities in registering voters.

But even as the Bullock grand jury was meeting, Civil Rights Commission agents returned to near-by Clayton and accepted a new offer of the grand jury there to inspect Barbour County's registration records.

Judge Wallace was ordered by Federal Judge Frank M. Johnson jr. to allow the Federal agents to see voter records of the two counties yesterday and today. A hearing is scheduled before Judge Johnson here tomorrow to see if his order has been complied with.

Since Judge Wallace did not obey the order, Judge Johnson could hold that he is technically in contempt even though Civil Rights Commission agents were allowed to see the records by the grand juries.

U.S. Orders Judge Tried In Alabama

Withheld Voting Lists in Probe

By The Associated Press

MONTGOMERY, Ala., Jan. 15.—An Alabama judge who admittedly courted a jail term by withholding voter records from Federal agents was ordered tried today for contempt of Federal court.

Circuit Judge George C. Wallace, of Clayton, Ala., was ordered to appear in court Jan. 26 and "show cause, if any there be," why he should not be punished for failure to comply with an earlier court order to produce the records.

Judge Wallace refused to turn over registration files in rural Barbour and Bullock Counties to the Federal Civil Rights Commission which is inquiring into reports that Negroes are being denied voting rights.

He gave them instead to hurriedly summoned grand juries in both counties with the explanation that he had impounded the records originally so the juries could look into claims of voting irregularities.

The juries ultimately made them available to commission investigators, but Federal District Judge Frank M. Johnson jr., ruled there was good cause to believe that the Alabama jurist "failed and refused" to comply with the Federal court order to produce the records.

Accordingly, Judge Johnson instructed Justice Department attorneys to file criminal contempt proceedings immediately, then ordered Judge Wallace to answer the complaint at a hearing at 10 a. m. Jan. 26.

Both Federal attorneys and Judge Johnson declined to say whether the thirty-nine-year-old Judge Wallace, who leaves office as a judge next Monday, will be prosecuted under the Civil Rights Act or under the general laws on contempt. Neither would they spell out the maximum penalty.

If sentenced to contempt under the civil-rights law, the judge could be sentenced to six months in jail and fined $1,000 on a jury trial or forty-five days and $300 without a jury.

Judge Wallace, who awaited the verdict in Montgomery, had nothing to say about Judge Johnson's action. However, when he turned the voter records over to the grand juries, he told them he was ready to "face the consequences."

Alabama politics—

Macon suit called 'sinister scheme'

P. 2B News Sym. 2-8-59

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., Feb. 7 — After a hurried reading of the formal complaint against two former Macon County registrars, Sen. Lawrence K. Andrews charged that the suit was a device whereby federal civil righters seek "to seize permanent control of a state function."

Attorney for Rep. Grady Rogers, one of the former registrars, Andrews charged that behind the suit was "a sinister scheme" to take over the Macon County voter registration process.

SPARROW

Not only does a close reading of the formal document apparently give support to Andrews' charges, but the language of the complaint seems to be direct, leaving no mistaking the meaning of the words that are used.

The complaint plainly states that not only does the government seek to enjoin the two men, Rogers and E. P. Livingston, whom the complaint alleges are still Macon County registrars, but it also seeks to enjoin any and all Macon County registrars in the future.

Vote right denied

ON PAGE 2, the document says:

"For many years the Registration Board, whatever its membership, has persisted in acts and practices in violation of this constitutional obligation, which have resulted in depriving qualified citizens of their right to vote solely by reason of their race or color.

"To obtain permanent preventive relief against such acts and practices, it is necessary that the judgment of the court be entered against and become binding upon the registration board, however constituted, so that the judgment will, to the fullest extent permitted by law, be operative against all future members of the Registration Board."

Still the board

FURTHER DOWN the complaint charges that Rogers and Livingston are still the board of registrars of Macon County. It says it in this fashion:

"Said defendants while discharging the duties of their office were and are acting under color of law of the State of Alabama. In the course of their official duties, said defendants have discriminated against qualified Negro citizens on account of their race or color.

"A judgment is sought declaring such past acts and practices to be illegal under the Constitution of the United States. Further, an order is sought enjoining said defendants, so long as they remain responsible for the duties of their office, and their successors, when appointed and qualified, from engaging in such illegal acts and practices in the future."

State responsibility

IF THAT SORT of an injunction were granted, would the Legislature and the people represented by the Legislature have any control at all over a function that since the state was formed has been 100 per cent a state responsibility?

That question probably will be asked again and again as the case is fought before U. S. District Judge Johnson.

Another that may be asked, too, before long is:

Is this dictatorship?

Alabama Judge Defies U. S. Court on Vote Data

Birth Certificate

CLAYTON, Ala., Jan. 12 (AP) — Circuit Judge George Wallace, admittedly inviting a jail sentence, ignored a Federal court order today and refused to hand voter registration records to the United States Civil Rights Commission.

Judge Wallace, with an avowed willingness to "face the consequences," turned the records in Barbour County over to a hurriedly summoned county grand jury. He left it up to the eighteen jurors to say whether the Federal agents get to see the files as part of their investigation of alleged denial of voting rights to Negroes.

Four hours after it had been empaneled, the jury said commission agents had been invited to "examine these records jointly with us." The agents rejected the offer.

Faces Contempt Term

Judge Wallace thus faced the risk of a Federal jail term for contempt of court because the commission investigators didn't get to see the requested registration files.

1-13-59 P3

He acknowledged that possibility when he told the jury he was ready to "face the consequences."

A. H. Rosenfeld, director of the commission's bureau of complaints, said he and other agents refused to look at the records "because we have no authority to deal with the grand jury. Our authority is to deal with Judge Wallace."

Another grand jury is expected to be empaneled in adjoining Bullock County tomorrow to take custody of the registration records there.

Judge Wallace, who previously had impounded the records in both counties and refused to surrender the mto the Federal government, was ordered by Federal Judge Frank M. Johnson on Friday to make the files available Tuesday.

Judge Johnson had called a hearing for Wednesday morning to determine whether his order was carried out.

The Federal Judge first ordered Judge Wallace to make the records available to civil rights agents a week ago. The defiant Judge Wallace refused, offering to produce only the files on four Negroes who had complained to the commission that they were denied the right to vote.

Judge Johnson, who at first had used only the term "relevant" records, spelled it out clearly to mean all registration and voting files in the two counties, then gave the state judge another chance to comply.

New Alabama Battle Looms on Negro Vote

MONTGOMERY, Ala., Feb. 7 (AP)—A battle between Federal and State authorities over voter registration practices has spread into two more Alabama counties—Dallas and Wilcox.

It came on the heels of a suit filed in United States District Court here Friday against two former registration officials in nearby Macon County where Negroes outnumber whites by more than six to one.

The suit brought by the Justice Department against E. P. Livingston and State Representative Grady Rogers, ex-members of the Macon County Board of Registrars, charges they denied "qualified" Negroes the right to vote.

District Judge Frank M. Johnson, jr., was asked to stop further discrimination against Negroes because of their race or color.

Sees Infringement

Mr. Livingston, who is a brother of Chief Justice J. Ed Livingston of the State Supreme Court, today described the Justice Department action as "just another infringement by the Federal Government on our homes, our schools and the Southern way of life."

"I think it is a damn shame," he said. "I thought we were through with this thing when we reached an agreement in Judge (Frank M.) Johnson's office."

Mr. Livingston was referring to a compromise reached by State officials and the United States Civil Rights Commission whereby Federal agents would be allowed to see voter records in Macon, Barbour and Bullock Counties.

This resulted in a Federal court order last month directing that the records in these counties be opened to commission investigators.

Records Requested

While the Civil Rights Commission declined to say what further investigations will be made into Negro voting complaints in Alabama, a request was received for the Dallas and Wilcox county records.

Circuit Solicitor (Prosecutor) Blanchard L. McLeod confirmed from his office at Camden that a letter dated February 3 was received from A. H. Rosenfeld, director of the commission's division of complaints, asking to see the records.

The letter was addressed to Judge James A. Hare whose circuit includes Dallas, Wilcox and three other counties where Negroes predominate. He had previously turned the records over to grand juries.

Judge Hare's court will be in session next week in Perry County for a grand jury and civil court session.

Legislature Will Close Shop Today

Eventless Session Expected Before Final Adjournment

The first special session of Gov. John Patterson's Administration will end Friday with the chief executive having secured from the lawmakers all that he asked for.

Patterson summoned the legislators into extraordinary session Feb. 3 to approve a $60 million road bond issue. In the mini[mum] time allowed by law [of] the [legis]lative days the bond is[sue] approved. Not a si[ngle] ber of either the H[ouse] ate voted against th[e]

[ses]ion is expected to be eventless. Both cham[bers] convene at 10 a.m. both chambers are expected to adjourn and scatter in all directions within the hour.

The only measure of major importance on Friday's agenda is a proposal which would further strengthen the immunity of the legislators from arrest or summons while in session.

IN SESSION MEASURE

The measure, introduced by Rep. T. Ralston Long of Uniontown, would prohibit federal agents or any others from serving legal papers on legislators while the Legislature is in session.

Long's bill was introduced shortly after Rep. Grady Rogers of Macon was called from the House chamber recently and served with a federal court order stemming from an investigation by the Civil Rights Commission into voter registration in Macon.

Another pro-segregation bill, but local in application, sailed through the House Thursday.

PREVIOUSLY APPROVED

Previously approved by the Senate, this bill would allow authorities in Wilcox County to use public funds in paying the transportation costs of indigent persons who wished to move out of state.

The bill is aimed specifically at Negroes in the county. Under the provisions of the measure, persons on the welfare rolls could petition for such aid. In the event such persons who were moved decided later to return to Alabama they would not be eligible for further welfare aid.

The plan will go into effect only upon the approval of the Wilcox County voters in a local referendum.

YWCA TAX EXEMPT

The Senate, in a brief afternoon session Thursday, put the final stamp of approval on a House bill exempting Young Women's Christian Assns. from state, county, and city taxes.

Another bill approved by the upper chamber would allow Huntsville and Madison County to join hands with the University of Alabama in constructing a new extension center in the missile city.

The measure has broad general application, however, in that it authorizes any muncipality or county to contribute to planned facilities and buildings of institutions of higher learning.

Nine additional bills from the House were passed in the upper chamber, four were indefinitely postponed and one was carried over to the Friday calendar as senators prepared to move into their final day of lawmaking.

ABSENTEE VOTE FOR DAY LIGHT

Ballots Cast in Orleans Now Total 76

Absentee voting in Orleans, Jefferson and St. Bernard parishes was light on Saturday.

Thirteen Orleans voters who expect to be away from home on Feb. 21 cast absentee ballots on Saturday. It increased to 76 the number of absentee ballots cast.

Only two such ballots were cast in St. Bernard parish. And 15 absentee votes were made in Jefferson parish, 11 cast east of the river and four on the West Bank.

Balloting will continue through Feb. 18.

Orleans voters will ballot on a judge of the civil district court, a judge-at-large for the fourth circuit court of appeal, a state representative from the Fourth Ward and proposed municipal bond issues amounting to $5,370,000.

In Jefferson parish, the Feb. 21 election is on two court of appeal judges and a proposed $10 million school bond issue.

Voting in St. Bernard is on two judges for the court of appeal.

Time and place of absentee voting follow:

ORLEANS PARISH: Room 306, civil sheriff's office, Civil Courts building, 9 a. m. to 4 p. m.

JEFFERSON: East Bank office building, Metairie, and West Bank Courthouse, Gretna, 9 a. m. to 4 p. m.

ST. BERNARD: Clerk of court's office, Chalmette courthouse. 9 a. m. to 4:30 p. m.

Sen. Sparkman Blasts Views On Registrars

WASHINGTON, D.C.—The contention by the Attorney General of the United States that voter registrars must bear responsibility in their areas of jurisdiction even after they resign, until their successors are appointed and sworn, was labeled ridiculous by Sen. John Sparkman (D-Ala.) in a weekend radio broadcast.

"Suppose no registrar could be persuaded—no person could be persuaded—to take over the place," he said. "That means a person after he's resigned, resigned for good reason, could never be released from responsibility. It's a ridiculous position to take."

Top 'Bama leadership holds meet

MONTGOMERY, Ala. — Seventy-five Alabama leaders, representing a cross section of the religious, civic, fraternal and labor interests of thousands of residents, met here last Saturday to evaluate their present potential for increased voter registration.

During a brief discussion, the significance of the Alabama hearings of the Commission on Civil Rights and the present voter-registration picture in Alabama was discussed.

The afternoon session was devoted to developing a coordinated action program that would make the maximum use of such Federal agencies as the Civil Rights Commission and the Department of Justice to increase the number of qualified colored voters.

* * *

THE MEETING was held at First Baptist Church, pastored by the Rev. Ralph D. Abernathy, chairman of the executive board of the Montgomery Improvement Association and treasurer of the Southern Christian Leadership Conference.

Among those in attendance were the Rev. Martin Luther King Jr., president, Southern Christian Leadership Conference, and W. C. Patton, president, Alabama State Coordinating Association on Registration and Voting.

Also W. P. Mitchell, secretary, TCA, the Rev. F. L. Shuttlesworth, Birmingham, president, Alabama Christian Movement for Human Rights, W. C. Shortridge, Birmingham; the Rev. J. E. Lowery, and John L. LeFlore, president, Alabama Civic Affairs Association, Mobile;

The Revs. E. H. Hicks, Talladega; Oliver W. Holmes, Talladega College; Ceasar Gibson, Talladega; H. Oscar Swanson, Mobile, Mrs. Sara Dickerson, president, National Council of Negro Women, Mobile; Mrs. Jesse Thomas, Women's Federated Clubs, Mobile.

* * *

GEORGE DIXON, Mobile union official, Jesse Thomas, Alabama union official; Joseph Malone Sr., Mobile Democratic county committeeman; Mrs. Fannie Allen Neal, Alabama union official; Rufus A. Lewis, chairman, MIA voter-registration committee;

S. W. Boynton, Selma, Civil Rights Chairman of Elks in Alabma; Earl Davis, field representative AFL-CIO; the Revs. Joseph E. Boone, Cleveland James, and W. W. Beamon, Anniston.

Others in the Mobile delegation of 20 persons were T. E. Williams, Cleveland Wolfe, Mach Coates, Eddie Lynch, Arthur Whitfield, Albert Lesure, M. L. Brown, William James, C. E. Powell, the Rev S. M. McCree; Mesdames Leatha Thornton and E. K. Carter.

The Montgomery Improvement Association, the Rev. Solomon S. Seay, executive secretary, was the host organization and the meeting was planned and coordinated by Ella J. Baker, associate director, Southern Christian Leadership Confeerence.

President urged to use firm action in Alabama

MONTGOMERY, Ala. — The seventy-five leaders who met here last Saturday unanimously voted to petition the President, Congress and the Department of Justice to evidence "More concern for the (present) state of racism in Alabama."

In addition they were called on to act with firmness" and provide "Federal protection of colored citizens' rights to vote without fear of bodily harm or economic reprisals and to assemble without police interference."

Telegrams were sent to the President, Attorney General William P. Rogers, Senate Majority Leader Lyndon B. Johnson, Senate Minority Leader Everett M. Dickerson, House Speaker Sam Rayburn and House Minority Leader Charles Halleck.

* * *

THE GROUP credited the late J. Ernest Wilkins with getting on record "much of the most pertinent and revealing evidence of disabilities faced by colored voters in Alabama."

Mr. Eisenhower was urged "to appoint without delay" another colored person to fill the vacancy created on the Commission on Civil Rights by Mr. Wilkins' death.

The Rev. John L. Tilley of the Southern Christian Leadership Conference, will be a leader of the all-day voter-registration workshop at Allen University, Columbia, S.C., on February 12.

Among those sponsoring the meeting are the Palmetto State Voters Association, Inc., the NAACP, the Interdenominational Ministerial Alliance of Columbia, and the Rev. Matthew D. McCollom of Orangeburg, who represents South Carolina on the executive board of the Southern Christian Leadership Conference.

* * *

IN A determined effort to re-register the 10,000 voters who were purged from the rolls in recent years, and to enroll all eligible new voters, registration drives in a number of North Louisiana parishes will be intensified during February.

Miss Ella J. Baker, associate director of the Southern Christian Leadership Conference, will devote full time to this area.

The February "push" will be spearheaded in Shreveport and Caddo Parish by the United Christian Movement, Inc. Special effort will be made to double the approximated 2,000 increase of 1958 there. Definite goals for other parishes will be set by the Coordinating Council for North Louisiana.

Sen. Sparkman Blasts View On Registrars

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"Suppose no registrar could be persuaded, no person could be persuaded—to take over the place," he said. "That means a person after he's resigned, resigned for good reason, could never be released from responsibility. It's a ridiculous position to take."

Alabama Official Indicted by Jury

ANDALUSIA, Ala. (UPI) — Abner R. Powell, Jr., registery in-chancery of Covington county for 21 years, was served a warrant Saturday charging him with giving unlawful aid to an absente voter.

Powell was the 13th of 16 persons indicted by the grand jury here after it conducted a probe into Covington voting affairs.

He immediately posted $500 bond and was released. A long list of well-known Covington citizens signed his bond.

A friend said he would be defended by a host of Andalusia attorneys. Powell has held officer under three circuit judges, being re-appointed for a new term by circuit judge Mullens Smith last November.

The charge against Powell is a misdemeanor, the least serious of all 66 indictments returned by the grand jury. All 13 of the persons indicted have made bond and been released.

MACHINE TESTING OF VOTERS SOUGHT

By FRED TAYLOR
Staff Writer, The Birmingham News
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., March 31—Two Alabama legislative committees have approved the Martin-Andrews voter registration proposal designed to prevent a recurrence of complaints which prompted the recent Federal Civil Rights Commission investigation in this state.

Fred Taylor

The measure, which will be introduced the first day of the regular session of the Legislature that begins May 6, would protect members of county boards of registrars against charges of racial discrimination.

Such accusations were made by commission agents against registrars in six Alabama counties, including Bullock and Macon, which are represented by veteran State Sen. Lawrence K. Andrews of Union Springs, one of the sponsors of the bill.

The other sponsor is State Rep. W. L. Martin Jr. of Greene, likewise a seasoned lawmaker, who also hails from the state's Black Belt area and who helped enact the voter qualification law in effect in Alabama several years. Validity of this law has been upheld by the courts.

The Martin-Andrews bill provides that all voter application examinations be graded by electronic machines, with such papers being numbered, rather than bearing the name or race of the applicant.

ALABAMA

New sets of questions would be prepared for each examination, with such tests to be held at least four times a year. The plan would be operated under the supervision of the Alabama Legislative Council, which is made up of state senators and representatives.

It would be administered by the State Legislative Reference Service, which functions under the council and which helps legislators prepare bills, among other duties.

Andrews and Martin pointed out that by the use of their system, with electronic machines grading applicants' papers, county registrars could not be accused of interpreting the answers to suit themselves.

They feel that their plan not only would protect registrars from federal suits such as that filed recently by the U.S. Department of Justice in Macon County, but would prevent mass registration of whites or Negroes.

The Week in Alabama

Gov. John Patterson will go to **Washington** in April to appear before a Senate judiciary subcommittee **in behalf** of U.S. **Sen. Herman Talmadge's** proposed **constitutional amendment** to keep control of public school systems in the hands of local authorities. "In my opinion, this proposed amendment offers a **sound basis** to insure the survival of public education in the South," said Patterson. . . . **Property assessments** in Alabama now exceed **$2,500,000,000** for the first time, it was shown by the State Revenue Department. . . A **legislative subcommittee**, which is preparing a **bill with "teeth"** to regulate **small loans**, revealed that 475 loan companies in Alabama collected approximately **$18,000,000** in interest and other charges last year, with **$11,000,000** of this being paid on loans of **$300** or less. . . . **Crawford Roquemore**, farm director for a **Montgomery** radio station, has been named to head a Southeast Alabama farm delegation on a 22-day **goodwill tour of Europe** and the Soviet Union.

Not Luck, but Miracle

Recently Frank Bass, Birmingham cab driver, went flying with his friend, Ralph Stiff, in the latter's two-passenger plane. They were gliding along a few miles from the city when Bass stuck his head out the window to "see what it would feel like." Off blew his eye glasses.

They spotted landmarks, put the plane down and went to the location in a car. It took some hunting, but they found the glasses—unbroken!

ALABAMA LEGISLATION
REGISTRATION RECORD BILL . . . . .

Alabama Legislature Hurls Legal Punch At U.S. Vote Probe

2 Measures Aim Curbs At Federals

By BOB INGRAM

The Alabama Legislature threw a one-two legal punch Wednesday at federal authority, with the blows being aimed specifically at federal interference in state voter registration.

By an overwhelming vote of 84-0 the House passed and sent to Gov. John Patterson for signature a bill designed solely to keep voter registration records out of the hands of federal investigators.

Then moments later, this time by a vote of 87-0, the lower chamber gave its approval to a measure which would make legislators immune to arrest or service with a court order while they were attending a legislative session.

UNANIMOUSLY PASSED

Both measures stemmed directly from the U.S. Civil Rights Commission's invasion of Alabama. The federal agency is looking into charges that Negroes have been denied the right to vote because of their color.

The voter registration bill unanimously passed by the House had previously cleared the Senate without a dissenting vote. And though legislation of this sort was not included in the special session call, Gov. Patterson has already announced he would sign the bill into law.

The bill specifically authorizes registration officials to dispose of old questionnaires filled out by prospective voters who were denied the right to vote.

MAY DESTROY RECORDS

Under the new act, the boards may destroy such records after the 30-day limit for appealing has expired. It was these same records which the Civil Rights Commission has been anxious to see in several Alabama counties.

Although the new measure applies to all counties in Alabama, officials in Macon County are under a federal court order to preserve their records at least until Monday.

The U.S. Justice Department has filed a suit charging registration officials in Macon with systematically discriminating against Negroes, and it wants to use the old records as evidence.

A hearing has been scheduled before U.S. District Judge Frank M. Johnson Jr. here Monday to decide whether the records can be destroyed.

The measure providing immunity to the lawmakers was a direct aftermath of the Macon suit.

State Rep. Grady Rogers of Macon, a former member of the board of registrars in that county, was served with papers notifying him of the litigation while he was attending a session of the Legislature 10 days ago.

Rogers was called from the House chamber to the second floor rotunda where he was served, and this incident touched off a sharp display of anger from the Legislature.

Shortly thereafter Rep. Ralston Long of Uniontown offered the bill providing immunity. Anyone convicted of violating the proposed act would be subject to a fine of $1,000 or imprisonment for one year.

Registration Record Bill Is Passed

MONTGOMERY, Feb. 12 (AP) — Alabama legislators took a defiant swing at civil rights investigators yesterday with passage of a bill aimed at keeping voter registration records out of the hands of federal agents.

The measure, which grew out of the recent inquiry into alleged denial of Negro voting rights in Alabama, sailed through the Senate 31-0 and went to the House for concurring action there.

Sponsored by Sen. Walter C. Givhan of Dallas County, the bill would allow county boards of registrars to dispose of old questionnaires filed out by prospective voters who subsequently were turned down.

It affects records accumulated in the future as well as in the past.

Dallas was one of six counties where the U. S. Civil Rights Commission tried to get access to such questionnaires.

The Senate also passed another measure tied in closely with the tense racial atmosphere in Alabama. It would authorize county authorities in Wilcox County to use public funds to send unemployed Negroes into other states to live if they wanted to go.

Alabama Assembly Votes Destruction of Vote Files

MONTGOMERY, Ala. (AP)—A defiant legislature mindful of the recent civil rights inquiry in Alabama took drastic action Wednesday to keep voter records out of the hands of federal agents.

Without a dissenting vote and without even debating the issue, the House passed and sent to the governor a bill giving voter registration officials the right to throw away old records.

The vote was 84-0 on the measure which a week ago had sailed through the Senate with the unanimous approval of the 31 members voting there.

Gov. John Patterson had promised in advance to sign the bill.

The bill specifically authorizes registration officials to dispose of old questionnaires filled out by prospective voters who for one reason or another were turned down by the examining boards.

But it requires the boards to save the records at least 30 days until the time has expired for rejected applicants to appeal to court. Alabama law gives them that long to ask the state courts to order their names put on the list of voters.

Under the state constitution, the registrars are required to preserve the records, but it doesn't say how long. The measure enacted into law Wednesday fixes it at 30 days.

The newly approved legislation grew out of the recent Civil Rights Commission inquiry into the alleged denial of Negro voting rights in some Alabama counties. Commission agents sought to look at some of the old questionnaires, but registrars refused to produce them until ordered to do so by a federal judge.

Commission agents sought to look at some of the old questionnaires, but registrars refused to produce them until ordered to do so by a federal judge.

The state constitution requires prospective new voters to answer a questionnaire prepared by the State Supreme Court. Registration boards use the answers to determine their fitness to vote.

U.S. COURT MOVE

Order Protects Macon Records

By ALLEN GUNN

A federal judge, taking cognizance of pending action in the state Legislature to permit voter registrars to destroy refused applications, has issued a temporary injunction forbidding any such destruction in Macon County.

Acting on a petition by United States Dept. of Justice attorneys who have filed a suit in U.S. District Court here to require registration of qualified Negro voters in Macon County, Judge Frank M. Johnson Jr. signed the temporary injunction Thursday.

The motion asking for the order claimed that "any destruction, removal or dissipation" of Macon voter registration records and refused applications would substantially affect and injure the ability of the plaintiff to present to the court necessary material and relevant evidence."

Filed by Justice Dept. Atty. Joseph M. F. Ryan Jr. and U.S. Atty. Hartwell Davis of Montgomery, the motion notes the bill, already passed by the state Senate and up for approval in the House, which would allow registration officials in Macon and 66 other Alabama counties to dispose of old voter questionnaires filled out by unsuccessful applicants.

IMMINENT ENACTMENT

The motion states that the bill has the endorsement of Gov. John Patterson and that "its enactment appears imminent." It cites the "publicly stated purpose" of the bill as "to deprive the government of the United States, acting through its courts or agencies, of access to such records."

Also filed by the government attorneys Thursday was a motion requiring the defendants, Grady Rogers and E. P. Livingston, former members of the Macon County Board of Registrars, and the board itself, to produce certain voter registration records and documents and to permit the inspection, copying and photographing of the records under the Federal Rules of Civil Procedure.

Judge Johnson set a hearing on the motion for Feb. 23 and instructed county authorities to see that the records are preserved until then.

The motion named these records for inclusion in the order:

All applications for registration and all questionnaires and oaths relating to such applications or registrations received by the Macon County Board of Registrars since Jan. 1, 1954;

All records and documents made or received by the Macon County Board of Registrars since Jan. 1, 1954, relating to or reflecting the ability of applicants for registration to read and write any article of the Constitution of the United States in the English language;

Copies of any rules and regulations made by the Macon County Board of Registration regarding registration; and

All other records, documents or papers which have been made or received by the Macon County Board of Registrars since Jan. 1, 1954, concerning the qualifications for voting of any applicant for registration.

INSPECTION REQUEST

The motion to produce and allow inspection also asked an order directing the defendants not to destroy or to transfer possession, custody or control of the records at any time prior to completion of the requested inspection.

The motion continued the dispute as to whether Rogers and Livingston are still legally members of the Macon County Board of Registrars. The two submitted resignations in December, following the Civil Rights Commission hearings in Montgomery, but the federal attorneys contend that under the state constitution they must continue to serve until their successors have been appointed and have qualified to take office.

Thus, the Justice Dept. claims in the motion, they still have possession, custody and control of the the records which are alleged to be "material and relevant to the subject matter involved in this action."

The bill mentioned in the government motions, having been passed by the State Senate, could be passed Tuesday by the House of Representatives when the Legislature returns from its weekend recess. It could then be rushed to Gov. Patterson for his signature and thus become law Tuesday.

In Sylacauga probe—

Grand Jury finds voters unqualified

TALLADEGA, Ala., Jan. 31—Twenty of 91 ballots challenged after a Sylacauga city election Nov. 24 were cast by unregistered or unqualified voters, the Talladega County Grand Jury reported today.

Twelve voters were not qualified and eight others could not be found to have been either registered or qualified, the report said.

THE GRAND JURY recommended that the Probate Office require the 20 voters to show cause why they cast ballots in the election without being registered or qualified, according to the records.

The jurors asked for a report on the findings of the Probate Office at the next Grand Jury meeting.

Sylacauga voters defeated a proposal to change from a city council to a commission form of government by a 2-1 margin. If the proposal had been approved it would have ousted Mayor Ed Howard and other members of the Sylacauga Council.

A group of Sylacauga residents called for the election after a dispute between the City Council and the Civil Service Board over operations of Sylacauga Hospital.

THE REPORT SAID 19 of 32 cases investigated were related to drinking alcoholic beverages. The jury recommended "full cooperation in reducing the source of supply."

It noted the assignment of two additional Alcoholic Beverage Control Board agents to the territory, and said this should improve control over liquor distilling and hauling.

Gallion Maps Rights Strategy

Confers With Staff On Voter Dispute

BY DONALD F. MARTIN

MONTGOMERY, Feb. 9 (UPI)—Alabama Atty. Gen. MacDonald Gallion disclosed today that his office is making a "concentrated study" of legal ways to defend the Macon County Board of Registrars accused by the Federal Government of denying qualified Negroes the right to vote.

Gallion made the announcement following a lengthy conference with his full staff early today.

Alabama has until Feb. 26 to reply to a Justice Dept. suit asking a permanent injunction against the Macón registrars to bar them from dismissing voter applicants because of "race or color."

Gallion said "the attorney general's office had a lengthy conference which lasted several hours concerning the Federal suit filed against the Macon County Board of Registrars and former Board Members E. P. Livingston and Grady Rogers.

State Sen. L. K. (Snag) Andrews sat in on the conference. The Black Belt attorney, whose home county of Bullock was a target of the Civil Rights Commission investigation into alleged violations of Negro voting rights recently, previously defended the Macon registrars in a suit filed by the NAACP.

"We whipped hell out of them then and we'll do it again," said Andrews.

Meantime, grand juries at Wilcox and Dallas Counties were expected to convene within the next few days to consider a request by the commission to examine vote records in the two areas heavily dominated by Negroes.

Our Opinion

An Invitation To Vote

Attorney General Rogers has called on Southern Negroes to register and vote. This invitation, however, is not supported by any guarantee of protection for those who attempt to exercise their civil rights nor does it suggest vigorous prosecution of state or county officials who deny the ballot to qualified voters.

Recently the registrars in two counties in Alabama and a District Judge at Montgomery not only refused to allow their voters' books examined, they ignored a subpoenae from the Civil Rights Commission that was investigating alleged violations of the right to vote. Though the matter has been certified to the Justice Department nothing of consequence has yet been done.

No punitive action has been instituted against the recalcitrant registrars; the defiant judge who was held in contempt of a Federal court order, is allowed time to explain away his action. There is, therefore, ample evidence that the deep South will resist every step toward granting the ballot to Negroes.

Moreover those who tried to force the issue through depositions, have received economic and physical threats. Thus a mere urging to vote will not banish the anxieties of Negroes who must face the white election boards, nor will such an invitation cause the rebellious Southerners to mend their ways.

The white supremacists well know that a major increase in Negro registration could quite conceivably be a severe test of the future politics of the South and America as a whole. A successful thrust at the polls could quite literally change the U. S. political map. Since nine-tenths of the Negro population live below the Mason and Dixie Line, it can be assumed that their ballots would resolve many of their local problems and play a crucial role in Presidential elections.

Weak as the 1957 Civil Rights Act is, nevertheless, it does leave room for a more consequential and stern application of power than the Department of Justice has yet exercised. Of course its hands may be stayed by a President who believes in coaxing and drifting as a substitute for immediate and positive action.

It would be of doubtful utility for Southern Negroes to have their heads bloodied and their homes bombed for asserting their rights to vote, while the Department of Justice plead lack of power to intervene, and President Eisenhower take refuge into his ludicrous theory that you cannot compel respect for the Constitution through law enforcement.

Attorney General Rogers need not extend a gilded invitation to militant Negroes to vote. All they want is a positive assurance that the legitimacy of their efforts will be sustained by the Department of Justice and the Federal courts. The Uncle Toms are dead, not dying; the new Negro will fight even against superior odds if he feels that the law is on his side.

Mobile registrars add 2457 voters

MOBILE, Ala., Jan. 31—(AP)—The Mobile County Board of Registrars ended a 353-day general registration period by enrolling 17 new voters today.

The total for the period which began Sept. 17 was 2457, including 1921 white and 536 Negro applicants.

There will be no further general registration until the 1959-60 period begins next Oct. 1.

Alabama Special Session Switches to Segregation

MONTGOMERY, Ala. (AP)—The Alabama Legislature Tuesday met in special session to consider a road bond issue and promptly broke out with a series of pro-segregation measures.

Even Gov. John Patterson's message to the House and Senate had a strong racial flavor, although designed primarily as an appeal for approval of his proposed 60 million dollar road bond program.

Patterson, speaking to a joint assembly of both Houses, warned the legislators that Alabama must stand ready on a moment's notice to act promptly and without hesitation to guard against race-mixing in the schools.

Bills were introduced to:

1. Keep voter registration records out of the hands of federal civil rights investigators and prohibit registration officials from disclosing their contents to anyone but an Alabama court.

2. Strengthen voter registration tests and make it difficult for Negro groups to conduct registration classes.

3. Permit the use of public funds in rural Wilcox County to send Negroes to northern states to live.

A resolution petitioning Congress to call a constitutional convention to strip the federal government of all control over the schools cleared the House.

File Federal Suit In Georgia Voting Probe

WASHINGTON, D.C. — (NNPA) — Attorney General William P. Rogers, last Friday announced the filing of a suit under the 1957 Civil Rights Act to enjoin the Macon County, Ala., board of registrars from practicing racial discrimination against colored applicants for registration to vote.

The complaint, filed in the Federal district court at Montgomery, Ala., asks the court to declare illegal the practices of segregation of the registration office in the county and enjoin the maintenance of segregated facilities as well as other practices alleged to be discrimination and adopted to prevent colored persons from registering.

Named as defendants in the complaint are the board of registrars of Macon county and Grady Rogers and E. P. Livingston registrars.

The complaint notes that in 1958, white citizens of voting age in Macon county numbered about 5,100 and the colored citizens of voting age numbered about 14,000.

As of last Dec. 1, the complaint states, white citizens registered to vote in Macon county numbered about 3016, or about 97 per cent of the white population of voting age, and the colored citizens registered to vote numbered about 1110, or about 8 per cent of the colored population of voting age.

The disparity between the percentages of white and colored citizens of voting age registered to vote in Macon county, the complaint states, has been brought about and is being perpetuated by "racially discriminatory acts" of the defendants.

According to the complaint, such acts and practices include:

The maintenance of separate discriminatory registration facilities for colored citizens.

The failure and refusal to convene and function as a board of registrars in order to avoid receiving applications to register to vote from colored citizens.

The maintenance of irregular and unreasonable hours and use of other evasive schemes to avoid receiving and processing applications to register from colored citizens.

The application of different and more stringent registration standards to colored applicants than to whites.

The failure to register qualified colored applicants.

The complaint alleges that the board of registrars has followed the practice, usage and custom of maintaining in the Macon county courthouse a segregated registration office for colored applicants, and has required all colored applicants to use the segregated office.

The complaint states that this practice has been followed by the registration board for a long period of time and by Rogers and Livingston ever since they became members of the board.

The defendants, it is also charged, have followed arbitrary and discriminatory practices between colored and white applicants, in facilities, including but not limited to the following:

Unreasonably delaying the admittance of colored persons but not whites to the registration office.

Voter Registration Workers Set Jan. 8 Rush-Off Meeting

W. C. Patton Heads Non-Partisan Voter Registration Group

The Citizens Non-Partisan Registration Committee has scheduled a "Push-Off" meeting for Thursday, Jan. 8, at 7:30 p.m. in the Universal Life Insurance Company's recreation room, announced W. C. Patton, director of the planned registration campaign, following a Tuesday night meeting.

Patton said "all campaign workers are expected to attend the meeting. Campaign kits will be distributed." He went on to explain that "cash attendance prizes" will be given.

During the 90-day campaign attractive cash prizes will be given to block, precinct and ward chairmen for bringing in the largest complete list of registered voters obtained in the campaign. These prizes will be given "periodically". Free refreshments will be served to workers and leaders in the campaign.

At the Jan. 8 meeting, a skit, "How To Meet A Prospect," will be presented by students from LeMoyne College. Pep talks will also be given by various civic workers. Campaign literature and lapel buttons will be distributed. More than 600 persons are expected at the meeting, said Patton.

During the last meeting, pep talks were given by Rev. S. A. Owen, Sr., pastor of Metropolitan Baptist Church, Rev. W. L. Varnado, chairman of the committee and Bishop J. F. Turner.

Selma Defies Civil Rights Commission

SELMA, Ala. (UPI) — A Dallas County grand jury agreed Thursday to produce for the federal Civil Rights Commission only the voter registration records pertaining to specific civil rights complaints.

Circuit Solicitor Blanchard McCleod said civil rights investigators must submit signed complaints before any records are produced. "This will prevent the federal boys from coming in here and wading through the records as if they were on a witch hunt," McCleod said. He said the agents wanted to inspect "all the voter records in the county."

Voting records in both Dallas and Wilcox counties were impounded by the grand juries on Dec. 6, two days prior to Civil Rights Commission hearings in Montgomery on charges that Negroes were denied voting rights in a number of Alabama counties. The Civil Rights Commission subpenaed voter records in both counties but they were never produced.

U.S. SUIT

U.S. Wins Order To Keep Alabama Vote Files Intact

MONTGOMERY, Ala. (AP) — Federal authorities, racing against time, won a court order Friday to prohibit Macon County officials from destroying voter registration records, at least for another 10 days.

The Justice department asked for the restraining order to keep the records from being thrown away under a bill pending in the state legislature. The measure could become law Tuesday.

U.S. Dist. Judge Frank M. Johnson Jr. set a hearing on the motion for Feb. 23 and instructed county authorities to see that the records are preserved until then.

The hearing will determine whether the registration files must be kept beyond that date.

SENATE PASSED BILL

A bill already passed by the state senate and up for house approval Tuesday would allow registration officials in Macon and the 66 other Alabama counties to dispose of old voter questionnaires filled out by unsuccessful applicants.

and rushed to Gov. Patterson's office for his signature and thus become law Tuesday when the legislature returns from weekend recess.

The Justice department wants the old questionnaires in Macon County, along with other voter records, to use in a pending federal court suit which charges registration authorities there with systematically denying Negroes the right to vote.

Justice Department Atty. Joseph M. F. Ryan said destruction of the records "would substantially affect the ability" of the federal government to prove its case.

ASKS SUBPOENAS CURB

While Johnson had the motion before him, a bill was introduced in the legislature Friday morning aimed at keeping federal agents from serving legal papers on house and senate members as a deputy marshal did in the Macon County suit.

Papers formally notifying Macon County Rep. Grady Rogers that he was a defendant in the suit were handed to him at the capitol last Friday while the house was in session, although the marshal had called him outside the house chamber.

Rogers was a member of the voter registration board in Macon but resigned in the wake of the Civil Rights Commission inquiry which preceded the Justice department suit.

The bill introduced by Rep. T. R. Long of Perry County would make legislators immune from arrest and from service of legal papers while the legislature is in session or while they are enroute to or from the capitol for a meeting of the lawmaking assembly.

U. S. Suing On Alabama Voting Bias

Seeks to Enforce Rights of Negroes

By Don Irwin

WASHINGTON, Feb. 6.—The Justice Department announced today that it is suing to halt what it called discriminatory practices that bar Negroes from registering to vote in Macon County, Ala., site of Tuskegee Institute, a leading Negro college.

The government's complaint, filed in Federal court at Montgomery, Ala., cited the names of twenty Negroes, twelve of them holders of college degrees, who are among Negroes allegedly disqualified without just cause by the Macon County Board of Registrars.

The board is the target of the action, which is the second the department has brought under the Civil Rights Act of 1957 to protect voting rights of Negro citizens. Another suit against the registrars of Terrell County, Ga., is awaiting trial in Columbus, Ga.

Today's action follows testimony about wholesale denial of Negro voting rights in predominantly Negro Macon County heard last year by the Civil Rights Commission. The county registrars, E. P. Livingston and Grady Rogers, announced their resignations in December rather than yield to a Federal court order to produce their records for examination by the commission.

The government's complaint specifically named the registrars as defendants. It questioned the validity of their resignations on the ground that Alabama law requires them to remain active until successors are appointed.

Statistical grounds for the action cited in the complaint are that 97 pe rcent of the county's 3,100 eligible whites are registered to vote, as against only 8 per cent of its 14,000 Negroes of voting age.

Discrimination Charged

To support its claim that this disparity "is being perpetuated by racially discriminatory acts and practices of the defendants," the complaint alleged the following discriminatory practices:

Maintenance of separate registration places for Negroes.

Refusals by the board to convene as a pretext to avoid receipt of Negro registration applications.

Adoption of irregular meeting schedules at "unreasonable" hours.

Application of different and more stringent registration standards to Negro applicants than to prospective white voters.

These standards, the complaints said, include requirements that Negroes successfully complete special questionnaires and be prepared to read and write any article of the United States Constitution.

The complaint listed the names of twenty Negroes whom it termed "qualified" who have been refused as registrants in Macon County. The list included one holder of a doctorate in philosophy from Boston University, one master of science, eight bachelors of science and two bachelors of arts.

Dixie County Sued by U.S. On Vote Issue

United Press International

WASHINGTON, Feb. 6.—The Justice Department filed suit today charging Macon County (Ala.) registration officials with discriminating against Negro voters and maintaining separate segregated registration facilities.

The civil complaint was filed in United States District Court at Montgomery, Ala. It named as defendants the Board of Registrars of Macon County and Grady Rogers and E. P. Livingston, the two registrars who resigned after refusing to testify last December before the Civil Rights Commission.

This is the second voting-right suit brought by the department's new civil rights division since it was set up last year. The first suit charged Terrell County (Ga.) registrars with refusal to register "fully qualified" Negroes. Trial is pending in this case at Columbus, Ga.

In today's action, announced here by Attorney General William P. Rogers, the Justice Department seeks an injunction to bar permanently alleged discriminations in the registration process.

The suit complained that in Macon County, white citizens registered to vote numbered 3016 out of about 3100 of voting age or approximately 97 percent. On th other hand, the suit said, Negroes who registered to vote number 1110 out of 14,000 of voting age, or about 8 percent.

The suit charged that the registrars applied "different and more stringent standards" to Negro than to white applicants.

Macon County includes Tuskegee Institute, a Negro college. During the Civil Rights Commission hearing, 24 Negro doctors, teachers, ministers and nurses related unsuccessful attempts to register.

U. S. Blocks Alabama In Vote Bill Evasion

By HOWARD L. DUTKIN
Star Staff Writer

The Justice Department has obtained a court order forbidding Macon County, Ala., election registrars from removing or destroying registration records, it was learned yesterday.

This move was to counteract probable passage of a bill now pending in the Alabama Legislature which would authorize destruction of registration records 30 days after registration has been denied.

Now pending in Montgomery Federal Court is a suit by the Justice Department to enjoin Macon County registrars from continuing alleged discriminatory practices against Negroes seeking to register.

Following passage of the registration bill by the Alabama State Senate, the Justice Department acted swiftly to obtain the order before the House passed the measure.

The bill, once law, could result in the department's being unable to obtain information vital to its injunction suit.

Joseph M. F. Ryan, assistant chief of the department's Civil Rights Division, made a hurried trip to Montgomery last Thursday.

The following day, he obtained a restraining order from Federal Judge Frank M. Johnson in Montgomery.

In addition, Mr. Ryan filed a motion to require Macon County registrars to turn over their records for inspection by the Justice Department.

VOTE RECORD DESTRUCTION FORBIDDEN BY U. S. JUDGE

JP L GUZMAN
2 TUSKEGEE INST ALA
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Feb. 23 Hearing On Injunction Is Set By Court

MONTGOMERY, Feb. 13 (AP)—Federal authorities, racing against time, won a court order today to prohibit Macon County officials from destroying voter registration records, at least for another 10 days.

The Justice Dept. asked for the restraining order to keep the records from being thrown away under a bill pending in the state Legislature. The measure could become law Tuesday.

U. S. Dist. Judge Frank M. Johnson Jr., set a hearing on the motion for Feb. 23 and instructed county authorities to see that the records are preserved until then.

The hearing will determine whether the registration files must be kept beyond that date.

A bill already passed by the state Senate and up for House approval Tuesday would allow registration officials in Macon and the 66 other Alabama counties to dispose of old voter questionnaires filed out by unsuccessful applicants.

IT CAN BE voted on by the House and rushed to Gov. John Patterson's office for his signature and thus become law Tuesday when the Legislature returns from week-end recess.

The Justice Dept. wants the old questionnaires in Macon County, along with other voter records, to use in a pending Federal Court suit which charges registration authorities there with systematically denying Negroes the right to vote.

Justice Dept. Atty. Joseph M. F. ... said destruction of the records "would substantially affect the ability" of the Federal Government to prove its case.

While Johnson had the motion before him, a bill was introduced in the Legislature this morning aimed at keeping Federal agents from serving legal papers on House and Senate members as a deputy marshal did in the Macon County suit.

PAPERS FORMALLY notifying Macon County Rep. Grady Rogers that he was a defendant in the suit were handed to him at the Capitol last Friday while the House was in session, although the marshal had called him outside the House chamber.

Rogers was a member of the voter registration board in Macon but resigned in the wake of the Civil Rights Commission inquiry which preceded the Jutisec Dept. suit.

The bill, introduced by Rep. T. R. Long of Perry County, would make legislators immune from arrest and from service of legal papers while the Legislature is in session or while they are en route to or from the Capitol for a meeting of the lawmaking assembly.

Maximum penalty for violation would be a year in jail and $1000 fine.

Alabama politics—

Macon suit called 'sinister scheme'

By HUGH W. SPARROW, News Staff Writer

MONTGOMERY, Ala., Feb. 7 — After a hurried reading of the formal complaint against two former Macon County registrars, Sen. Lawrence K. Andrews charged that the suit was a device whereby federal civil righters seek to seize permanent control of a state function."

Attorney for Rep. Grady Rogers, one of the former registrars, Andrews charged that behind the suit was "a sinister scheme" to take over the Macon County voter registration process.

SPARROW

Not only does a close reading of the formal document apparently give support to Andrews' charges but the language of the complaint seems to be direct, leaving no mistaking the meaning of the words that are used.

The complaint plainly states that not only does the government seek to enjoin the two men, Rogers and E. P. Livingston, whom the complaint alleges are still Macon County registrars, but it also seeks to enjoin any and all Macon County registrars in the future.

Vote right denied

ON PAGE 2, the document says:

"For many years the Registration Board, whatever its membership, has persisted in acts and practices in violation of this constitutional obligation, which have resulted in depriving qualified citizens of their right to vote solely by reason of their race or color.

"To obtain permanent preventive relief against such acts and practices, it is necessary that the judgment of the court be entered against and become binding upon the registration board, however constituted, so that the judgment will, to the fullest extent permitted by law, be operative against all future members of the Registration Board."

Still the board

FURTHER DOWN the complaint charges that Rogers and Livingston are still the board of registrars of Macon County. It says it in this fashion:

"Said defendants while discharging the duties of their office were and are acting under color of law of the State of Alabama. In the course of their official duties, said defendants have discriminated against qualified Negro citizens on account of their race or color.

"A judgment is sought declaring such past acts and practices to be illegal under the Constitution of the United States. Further, an order is sought enjoining said defendants, so long as they remain responsible for the duties of their office, and their successors, when appointed and qualified, from engaging in such illegal acts and practices in the future."

State responsibility

IF THAT SORT of an injunction were granted, would the Legislature and the people represented by the Legislature have any control at all over a function that since the state was formed has been 100 per cent a state responsibility?

That question probably will be asked again and again as the case is fought before U. S. District Judge Johnson.

Another that may be asked, too, before long is:

Is this dictatorship?

Officials Silent On Defense In Voter Suit Against Macon

State's attorneys huddled in a strategy conference Monday but declined afterwards to say what conclusions they reached about the Negro voter registration suit against Macon County.

Atty. Gen. MacDonald Gallion for "reasons that are obvious," refused to say on what legal defense might be used. He said merely that he and his staff agreed on "several basic methods of legal approaches."

The suit which charged systematic denial of voting rights to Negroes in Macon County was filed by the Justice Department in federal court here last Friday.

Despite Gallion's silence, other legal sources predicted the state will file a motion to dismiss the government's suit. One likely ground would be that E. P. Livingston and State Rep. Grady Rogers were named defendants even though they had resigned from the Macon County Board of Registrars.

Unanimous Vote Readies Final Stage

Gov. John Patterson's $60 million road bond bills sailed through the house and Senate Wednesday without a dissenting vote, the stage being set for the final enactment of the measures next Tuesday.

The bond bills went through with such great ease that this major development lost the spotlight to a sudden rekindling of the racial issue.

Rep. Grady Rogers of Macon County, who last Friday was served with a federal court summons charging him with having discriminated against Negro voter applicants while serving as a registrar, took the House floor to roundly denounce federal authorities.

Moments later this denunciation was given added weight when the House and Senate unanimously approved a resolution condemning the Justice Department for having served Rogers with a summons while he was in attendance at a legislative session.

Rogers was given a standing, cheering ovation by the House chamber following his blistering attack on the Justice Department, the Civil Rights Commission and federal authorities in general.

VULTURES OF TYRANNY

Rogers likened the federal investigators to "vultures of tyranny who are flying low with beady eyes and greedy beaks, seeking to rend us limb from limb."

"A black curtain is smothering us and seeking to destroy everything that we hold dear," Rogers warned. "We must, we can and we shall find a way to tear down this black curtain."

And the lawmaker added that "we should pray to God that there will be no blood and tears."

Immediately after Rogers' dramatic address, Rep. Tom Johnson of Tallapoosa offered the resolution condemning the Justice Department for having served the legislator while he was on duty.

The resolution said the tactics employed by the Justice Department was an "affront to the State of Alabama . . . an utter disregard for the rights and customs of the state."

Copies of the resolution were ordered sent to U.S. Atty. Gen. William Rogers, members of the Alabama congressional delegation, to the legislatures of the other 48 states and to U.S. District Judge Frank M. Johnson Jr. of Montgomery.

In the Senate, the administration's highway bills met some verbal opposition, although the two members of the upper chamber who spoke out against various phases of the current bills voted in favor of their passage.

Sen. Larry Dumas of Jefferson and Sen. A. C. Shelton of Calhoun said they favored general obligation bonds to the revenue bonds being offered by the administration.

Both said, however, that with amendments which limited bond sales to $60 million, they were satisfied with the proposals.

Sen. Dumas promised he would give the Legislature a chance, in the regular session in May, to consider substituting general obligation bonds which must be approved by vote of the people.

In a rebuttal speech, Sen. Vaughan Hill Robinson of Montgomery assured the upper chamber that highway funds would be used to the best advantage of the state's driving public.

His statement came in answer to an expression of fear by Sen. Shelton that poorer counties of the state, or those represented by legislators who had not supported Gov. John Patterson in his candidacy for the executive post, would be excluded from highway fund allotments.

The Senate also passed unanimously on a bill by Sen. Walter Givhan of Dallas providing for disposal of voter applications by state boards of registrars.

The bill, which had been rephrased to eliminate the word "destroy" in reference to disposal of the applications, cleared the upper chamber by a vote of 31-0.

The passage of the bond bills in the House was brief and to the point. It took exactly seven minutes from the time the first bill was brought up until all three had won approval and been sent to the Senate. The votes in the House were 102-0, 103-0 and 104-0 in that order on the three bills. It would have been 104-0 on all three had not a couple of members been tardy in arriving.

The House bills were greeted warmly in the Senate. All three got their first reading, were sent to committee and promptly were given favorable reports.

This means they will be up for second readings on Friday and final approval next Tuesday. The Senate bills did not pass in time to get a first reading in the House, thus they will likely be killed later to deference to the faster-moving House versions.

After disposing of the bond bills the House whipped through a 14-page calendar containing 20 other bills—all of which were passed.

DEBATE ARISES

A mild debate was touched off over a bill authorizing county gas tax funds to be used in paving county roads which extend into the limits of a city. The bill was eventually passed after its supporters beat down two proposed amendments offered by Rep. Sam Nettles of Wilcox.

Nettles proposed that the cities match any such county funds on a 50-50 basis.

Rep. Holt Rast of Birmingham lost out in a bid to have the House meet every day until the session adjourns. His resolution was sent to the Rules Committee and later when a motion was made to adjourn until Thursday it lost by a 60-34 vote. The House then adjourned until Friday.

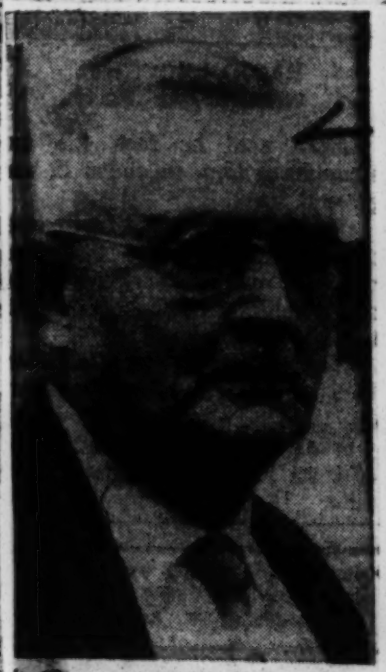
A bill which would allow Wilcox County to initiate a program for shipment of "unemployed persons" to other sections of the country, was approved by the Senate.

The proposed act, introduced by Sen. Roland Cooper of Wilcox County, provides for the "voluntary expatriation of certain unemployed citizens of Wilcox County; authorizing the county to undertake a voluntary expatriation program whenever the program is approved at a referendum."

A proposal to give county governing bodies authority to use the county portion of gasoline tax on city streets received approval of the Senate.

The bill, introduced by Sen. Dumas, would authorize use of the funds on construction, reconstruction and maintenance of city streets within a city limits and for repair and construction of traffic control areas on school property.

Counties now are limited by law in the use of such funds within cities.



REP. GRADY ROGERS
...ct. Macon Lawmaker

CIVIL RIGHTS COMMISSION

VOTE REGISTRARS GO ON TRIAL— E. P. Livingston (left) of Notasulga, Ala., and Alabama state Rep. Grady Rogers of Tuskegee Notasulga, Ala., and Alabama state Rep. Grady Rogers of Tuskegee government complaint that they discriminated against Negroes trying to vote. (AP Wirephoto).

LOUISIANA SPEECH

Gov. Patterson Warns Of Mass Negro Voting

NEW ORLEANS (AP) — Gov. John Patterson of Alabama charged Friday night that federal authorities are "hell bent" on mass Negro voting "even if it costs us our freedom and wrecks our constitutional form of government."

Their goal, he said, is to force integration on the South by wholesale registration of Negro voters.

But the visiting governor told a Louisiana conference of district attorneys the South can preserve its way of life "if we stand up and fight for our rights." He said Southerners must stand shoulder to shoulder and resist every inch of the way.

Patterson charged that the Civil Rights Commission, with the support of Atty. Gen. William P. Rogers, is determined to add as many Negroes as possible to the voting lists "whether they are qualified or not."

"They tried to ram integration down our throats with paratroopers and failed," he declared in reference to the use of troops at Central High School in Little Rock, "and now they are trying the mass registration of Negroes approach."

ADEQUATE REMEDY

State laws provide an adequate remedy of appeal to the courts for anyone unjustly denied the right to vote, the Alabama governor continued in a prepared address, and the U.S. Supreme Court itself has held that each case must stand on its own.

But "this procedure is apparently too slow for the Civil Rights Commission and the Republican Administration," he said, "so they are usurping the powers of the judicial branch and attempting to do administratively what they would not be authorized to do in the courts."

As a result, Patterson continued, "we have the unusual situation of a Civil Rights Commission engaged in depriving the people of their civil rights."

He mentioned the recent civil rights investigation in Alabama and the pending justice department suit which charges systematic denial of Negro voting rights in Macon County, then added grimly:

"If the federal government continues its present pace in Alabama they will destroy our election machinery entirely. They have already destroyed it in one county."

HALTED VOTING MACHINERY

The two surviving members of the Macon County voter registration board resigned in the wake of the civil rights inquiry. And although the justice department insists they must remain in office until successors have been named, no voter registration machinery has functioned in the county since the regsignations in December.

People just will not serve on registration boards in the face of "such highhanded treatment," Patterson declared.

The governor, speaking again of his own state, said the people will abandon their public school system before they will yield to integration.

"This would be a calamity," he admonished. "Both races and our nation would suffer. Our children would find it difficult to obtain an education.

"We cannot afford this at a time when we are involved in a race for control of outer space and need to develop the brain power of our nation. The race agitators and those who would do harm to our constitutional system are pushing us to the brink of disaster."

Already, said Patterson, there has been bloodshed in the South over school integration and racial tension is greater than at any time since the War Between the States.

"We have the Supreme Court along with such organizations as the NAACP and other race agita-

ALABAMA

...ors to thank for this trouble," he declared.

Gov. Patterson served papers in Macon case

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., Feb. 26— Gov. John Patterson said yesterday he has been served a copy of an amended bill of complaint against Macon County voter registrars which includes the State of Alabama as a defendant.

He promised the state will make every effort to defend itself and expressed full confidence of victory.

A FEDERAL MOTION before the U. S. District Court here earlier this week ordered former registrars of Macon, E. P. Livingston and State Rep. Grady Rogers, to produce voter registration records for inspection by federal attorneys.

After arguing the motion before Dist. Judge Frank M. Johnson Jr., attorneys for the Justice Department's Civil Rights Commission Division amended the government complaint to include the state.

Notice of the amendment was served to the governor as the chief executive of the state.

ANGERED BY THE MOVE, Patterson called the action of the U. S. Attorney General's office "unwarranted and an encroachment on the state."

"It's getting to the point where there are more Federal men on Capitol Hill than state," he commented, adding that such actions are not leading to good relations between the federal and state governments.

Hearings for motions relative to the state of Alabama are set for March 5.

Patterson Signs U. S. Agents Curb

Bill Grows Out Of Negro Vote Quiz

MONTGOMERY, Feb. 24 (AP)— Two newly enacted measures aimed as a defiant slap at Federal agents were signed into law today by Gov. John Patterson.

One allows voter registration officials to throw away old records to keep civil rights investigators from getting access to them. The other makes it unlawful to serve legal papers on House and Senate members while the Legislature is in session.

Both measures grew out of the recent investigation of the alleged denial of Negro voting rights in Alabama.

The law authorizing destruction of voter records applies specifically to questionnaires filled out by applicants who were turned down as voters. Agents of the Civil Rights Commission got a Federal Court to make the questionnaires available in three counties after state authorities refused to produce them.

If the newly enacted law had been in effect then, registration officials could simply have told the government agents the records no longer existed.

A Justice Department suit charging systematic discrimination in Macon, one of the counties involved in the inquiry, led to passage of the bill giving legislators immunity from service of legal papers.

It was prompted by the action of a deputy U. S. marshal in serving papers on Rep. Grady Rogers of Macon at the Capitol while the House was in session. Rogers, who served on the Macon County Voter Registration Board before his resignation last Dec. 10, is a defendant in the suit.

The law provided a maximum penalty of a year in jail and $1000 fine for any officer who serves papers on a legislator while the House and Senate are in session or while he is en route to or from the capitol for a meeting of the Legislature.

34e 1959 ALABAMA U.S. SUIT CIVIL RIGHTS COMMISSION

Federals Demand Alabama Be Made Defendant In Macon Vote Suit

Subpoena Might Be Served On Gov. John Patterson

MONTGOMERY (AP) — Federal attorneys asked the U. S. District Judge Frank M. Johnson Jr. today to make the state of Alabama one of the defendants in the suit over alleged denial of Negro voting rights in Macon County.

A motion to make the state a party to the suit was filed shortly before the state of a hearing in federal court.

The apparent purpose of the maneuver was to get around the possibility that two other defendants who have resigned from the Macon County voter registration board might be disqualified. Without them, the government could find itself legally with no one to sue unless it was able to get the state brought into the suit.

A subpoena was expected to be served on Gov. John Patterson as chief executive of Alabama.

Today's hearing could determine whether the Justice Department can proceed with its suit to prohibit Macon County authorities from discriminating against Negroes.

The hearing is on a government motion to forbid Macon County officials from destroying old voter registration records which federal attorneys want for evidence. A new state law authorizes all counties to throw away questionnaires filled out by voter applicants who were later rejected. The questionnaires are used to determine if applicants are eligible to vote.

But the real point of the hearing is to determine at whom any injunction would be directed. State attorneys say the last two Macon registrars, E. P. Livingston and State Rep. Grady Rogers resigned last December and therefore there is no one to issue a court order against.

But federal attorneys named Livingston and Rogers as defendants, contending they cannot legally resign until their successor have been appointed.

If Johnson rules Livingston and Rogers are no longer members of the Board of Registrars, he must decide whether the government can proceed with its suit without specific defendants.

Alabama Atty. Gen. MacDonald Gallion says the federal Civil Rights Act, under which the Justice Department filed its suit specified the government must have individual defendants in its complaints.

Whatever Johnson rules today, it would set a precedent for a similar ruling on Gallion's motion that the suit itself be thrown out of court.

During the recent Civil Rights Commission inquiry into Negro voting complaints, government agents gained access to the records in three Alabama counties. The new state law authorizing destruction of questionnaires is aimed at preventing a recurrence of this.

Federal attorneys contend Rogers and Livingston are in legal possession of the files and can be ordered to keep them for the trial.

The state claims no one can be told what to do with the questionnaires until new registrars are named.

Vote Board Resignations Assailed in Rights Suit

By Donald

MONTGOMERY, Ala., Feb. 23 (UPI)—The Justice Department told a federal judge today that two county registrars resigned their posts as a "transparent device" to circumvent U.S. civil rights action against denial of Negro voting rights.

United States Attorney Joseph M. Ryan Jr. argued in the opening phase of a civil-rights suit trial that the registrants, Grady Rogers and E. P. Livingston, were proper defendants in the action. The Defense, headed by Alabama's Attorney General, countered with a motion to quash the suit.

The action is the second legal suit brought under the 1957 civil rights legislation, the same act which created the U. S. Civil Rights Commission. It seeks an injunction against refusal of Macon County, Ala., to register 20 Negroes as qualified voters.

Macon is the site of famed Tuskegee Institute, and the Negroes include college personnel and graduates. The Justice Department's Civil Rights Division charged that they were denied the right to register by devious means.

U. S. Judge Frank M. Johnson took under advisement the motion to dismiss the suit.

At the same time, Johnson set a hearing March 5 on a motion to amend the suit to make the State of Alabama a party to the action.

F. Martin

Alabama Attorney General MacDonald Gallion argued the suit should be dismissed on grounds the complaint cannot be enforced through the Civil Rights Act of 1957 and that both Rogers and Livingston have resigned their positions as registrars.

He said under Alabama law a board of registrars is not nor can it be construed as a person or individual and thus the Federal Government cannot proceed with its suit under the Civil Rights Act.

NEGRO VOTE IS ISSUE

Civil Rights Suit Trial Is Opened in Alabama

MONTGOMERY, Ala., Feb. 23 (UPI)—The Justice Department told a federal judge today that two county registrars resigned their posts as a ""transparent device" to circumvent U.S. civil rights action against denial of Negro voting rights.

U.S. Attorney Joseph M. Ryan Jr. argued in the openin phase of a civil rights suit trial that the registrants, Grady Rogers and E. P. Livingston, are proper defendants in the action. The defense, headed by Alabama's attorney general, countered with a motion to quash the suit.

The action is the second legal suit brought under the 1957 civil rights legislation, the same act which created the controversial U.S. Civil Rights Commission. It seeks an injunction againt refusal of Macon County, Ala., to register 20 Negroes as qualified voters.

Macon is the site of famed Tuskegee Institute, and the Negroes include college personnel and graduates The Justice Department's civil rights division charged that they were denied by devious means the right to register.

U.S. Judge Frank M. Johnson took under advisement the motion to dismiss the suit.

At the same time, Johnson set a hearing March 5 on a motion to amend the suit to make the State of Alabama a party to the action.

Alabama Atty. Gen. MacDonald Gallion argued the suit should be dismissed on grounds the complaint cannot be enforced through the Civil Rights Act of 1957 and that both Rogers and Livingston have resigned their positions as registrars.

"This case is completely preposterous," Gallion argued.

He said under Alabama law a board of registrars is not nor can it be construed as a person or individual and thus the federal government cannot proceed with its suit under the Civil Rights Act.

He said Rogers and Livingston resigned in "good faith" weeks before the suit was served. Rogers has been elected to the state House of Representatives and Livingston has been appointed to the

jury commission in Macon County.

Under Alabama's constitution, Gallion said, no man can hold two paid public offices and therefore the new posts of Rogers and Livingston pre-empt them for serving as registrars.

Ryan countered with the argument the Civil Rights Act does not specifically define person or individual and the legislative intent of the act, as evidenced by discussions in the Senate Judiciary Committee, indicates a board of registrars is a "suable entity."

Ryan contended Rogers and Livingston had no right to resign until their successors were appointed because "voter registration is an indispensable perquisite." He charged the two men utilized the "transparent device of hasty resignation to frustrate federal rights."

He said Alabama law indicates registrars cannot resign until their successors have been named and that this procedure must be maintained for "continuity sake. Someone has to turn records over to someone else and Rogers and Livingston have not fulfilled their obligation."

SINGER IS LINGUIST

Singer Hazel Scott speaks English, Yiddish, Chinese, French and Spanish.

Ala. Voting Case Remains Unsettled

Howard Courier

MONTGOMERY, Ala. (AP) — The status of the federal government's suit to prohibit denial of Negro voting rights in Macon County was left unsettled Monday in the wake of a hearing in U.S. District Court.

Dist. Court Judge Frank M. Johnson Jr., recessed the proceedings without ruling whether:

1. The last two remaining members of the county voter registration board had a legal right to resign last Dec. 10, or whether they must remain in office until someone is found to take their place.

2. An injunction can be issued against the board of registrars as a separate function of the state in the absence of any functioning board members.

Until he has had time to study those questions, Johnson made no attempt to say whether the Justice Department can proceed further with its suit which seeks an injunction against any future racial discrimination.

Neither did he decide whether the government can legally compel county authorities to preserve existing voter registration records and produce them as evidence if the suit is ultimately tried on its merits.

The Justice Department, charging systematic denial of voting rights to Negroes in Macon County for many years, filed the complaint Feb. 6 asking for a court order to prohibit registration authorities from discriminating against prospective voters because of their race.

Even though they had resigned as the last two remaining members of the board of registrars, E. P. Livingston and State Rep. Grady Rogers were named defendants in the complaint along with the voter registration board itself.

State's attorneys asked Johnson to throw the suit out of court on the basis that (a) no injunction could be issued against Livingston and Rogers because of their resignation, and (b) no one else was left to sue because federal laws allow the Justice Department to file complaints only against individuals and not boards or groups of officials.

Federal attorneys argued that the two board members cannot legally vacate their office until their successors have been appointed.

But even if they could resign, the government contended an injunction can be directed against the board itself and thus apply to anyone who might later be appointed.

And as a further safeguard, the Justice Department amended its original complaint to make the State of Alabama a defendant. That was an answer to the defense argument that a suit against registration officers is a suit against the state itself.

Johnson withheld a ruling on that point pending another hearing on March 5. State's attorneys at that time will try to stop the state from being brought into the suit.

34e 1959

ALABAMA

MR. SAM ENGELHARDT
CIVIL RIGHTS COMMISSION
MACON COUNTY

NO BOARD OF REGISTRARS:

ENGELHARDT CAN'T REGISTER IN MACON

Alabama Journal

Guess who's caught in the squeeze over voter registration in Macon County—segregationist leader Sam Engelhardt.

Montgomery Adv.

His 21-year-old son, Miller Bonner Engelhardt, can't register to vote because the county has no board of registrars. The Engelhardt family lives at Shorter.

The last two remaining board members, E. P. Livingston and State Rep. Grady Rogers, resigned last Dec. 10 in the wake of the U.S. Civil Rights Commission inquiry into the alleged denial of Negro voting rights.

Young Engelhardt became 21 on Jan. 16.

Mont. 3-2-59

His father, who is state highway director and a former senator and executive secretary of the Alabama Assn. of Citizens Councils, said he doesn't mind his son being denied a vote "if it will keep the Negroes from getting control of the ballot box."

P-B

Ironically, the same thing happened to another son, Sam Engelhardt III, when he reached voting age. There was no board then, either, and he had to wait nearly a year and a half before he could register. The board members who signed him up have since resigned.

Voting Is Key To Segregation, Engelhardt Says

Ala. Journal
Montgomery Adv.
2-23-59

BIRMINGHAM (AP) — Voter registration is the key to the whole problem of segregation, said Sam Engelhardt, Alabama state highway director and state Democratic Executive Committee chairman.

Negroes are allowed to register en masse, he said during a Sunday television interview, "that will settle it in so far as integration is concerned because they (Negroes) will get control of the ballot box.

"Naturally we are greatly concerned with attempts at (school) integration, not only in Birmingham but in various other schools in the state next September."

Engelhardt appeared on WAPI-TV's Alabama Press Conference.

He said southern members of the Democratic National Committee will get together during a national committee meeting in Washington this week as part of a movement to bring the south together.

P-B

Leadership

Engelhardt will go to Washington as chairman of the state executive committee. He said Gov. John Patterson and members of his staff will also make the trip.

(X)

"Sometime during the time we are there we'll have a caucus of all the Southern members," said Engelhardt, "This is part of the Southwide movement to bring the South together to fight the left-wing in the Democratic Party."

AMONG 8 BILLS

Unit Asks Restoration Of Cumulative Poll Tax

A proposed constitutional amendment to restore the cumulative feature of Alabama's poll tax was among eight bills recommended Thursday by a legislative subcommittee.

Voters approved an amendment in 1953 knocking out the provision which required prospective voters to pay up all back poll taxes in order to qualify as a voter.

The state levies a tax of $1.50 a year on voters. Under the old law the cumulative tax bill could run as high as $36 if a person over 45 who had never paid it sought to vote.

As it is now, the past-due tax goes back only two years.

Meanwhile, the interim Finance and Taxation committee continued work behind closed doors on a proposed general appropriation bill for the next two years.

The chairman, Sen. Vaughan Hill Robison of Montgomery, said he is still optimistic that the measure will be completed Friday. But another committee member indicated it might be Monday or Tuesday before the bill is ready for recommendation to the regular session of the Legislature beginning in May.

The group had planned to begin hearings next week on appropriations for education.

The Interim Committee on Revision of Laws has scheduled a meeting Friday at 10 a.m. to hear reports from its five subcommittees.

Only the Segregation Study Subcommittee released its report in advance. In addition to the change in the poll tax, this group voted to recommend bills to:

Abolish absentee voting except for military personnel on active duty along with their wives and veterans hospitalized in veterans hospitals.

Strengthen the present law prohibiting sale of votes by adding a penalty section making violations punishable as a felony.

Require probate judges to prepare voting lists only once every two years.

Provide for a statewide reidentification of voters beginning next year and every 10 years thereafter. Counties which have brought their voting lists up to date in recent years would be exempt next year.

Impose a penalty on county officials for failure to provide separate poll lists for each box in elections.

Extend the present law requiring court clerks to furnish information on convictions to boards of registrars in the county where the defendant lives. It would add city or recorder's courts to those now covered by the law.

Require prospective voters to take intelligence tests which would be graded by electronic machines.

Alabama Newspaper Finds No Polls Bias

Associated Press.

BIRMINGHAM, Ala. Feb. 16.—Qualified Negroes have been registered without prejudice in most Alabama counties, the Birmingham News reported in a copyrighted story today.

The story said there is no discrimination in 59 of the state's 67 counties.

Registrars indicated that while white applicants seldom return if they fail to pass a written examination of 21 questions, Negroes who fail the first time take it again and again, often on consecutive days.

And in many instances, the News said, Negroes are accepted after failing in several attempts to pass the test.

The story also noted that there are now more than 70,000 Negro voters in the state —an increase of more than 10 percent over the number registered prior to thhe 1958 Democratic primary.

U. S. AND ALABAMA ARGUE VOTING CASE

MONTGOMERY, Ala. Feb. 23 (UPI)—The Justice Department told a Federal judge today that two county registrars had resigned their posts as a "transparent device" to circumvent United States action against the denial of Negro voting rights.

United States Attorney Joseph M. Ryan Jr. argued in the opening phase of a trial brought under the 1957 Civil Rights Act that the registrars, Grady Rogers and E. P. Livingston, were proper defendants in the action. The defense, headed by MacDonald Gallion, Alabama's Attorney General, countered with a motion to quash the suit.

The suit seeks an injunction against the refusal of Macon County, Ala., to register twenty Negroes as qualified voters.

Federal Judge Frank M. Johnson took under advisement the motion to dismiss the suit.

Mr. Gallion argued that Mr. Rogers and Mr. Livingston had resigned as registrars.

Mr. Ryan contended that Mr. Rogers and Mr. Livingston had had no right to resign until their successors were appointed.

One Measure To Bypass Servicemen

By HERSCHEL CRIBB

Two bills to abolish absentee voting in Alabama were approved Wednesday by a Senate committee.

One bill approved by the Committee on Privileges and Elections would abolish the absentee vote outright. The other would permit only servicemen to cast such a ballot.

TURNER

The bill with the latter proviso was voted out after its sponsor Sen. L. K. (Snag) Andrews of Bullock, said the American Legion asked for it.

Sen. Alton Turner of Crenshaw introduced the first bill. He said he favors outright abolition but might go along with the other.

Turner and a couple of other committee members had disabled veterans in Veteran's Hospitals deleted as being entitled to vote absentee.

MOSES

Turner said a veteran should have no more preference than a civilian who is sick in the hospital.

He said "letting in one exception will open the door to a lot more."

Under present law, any qualified voter who must be absent from home on business on election day can cast an absentee ballot in person not more than 20 nor less than five days before election day.

Only members of the Armed Services can now vote by mail.

The committee also approved a law making it a crime to pay another's poll tax. Blood relatives and certain in-laws are exempted from the act.

HARD LABOR

Violation of the law could be punished by 90 days hard labor.

At present, paying another's poll tax is a crime only if it was done "to influence his vote."

This is accounted bribery. Punishment is one to five years in prison.

An attempt to eliminate write-in voting was passed for further study.

Sen. Andrews backed this measure because, he said, Negroes could "get together in the future."

Two other committee members, Sen. Hugh Moses of Marion and Sen. Larry Dumas of Jefferson, opposed eliminating it.

Moses said "there may come a time when you will need the write-ins." He said it was "dangerous to ban it."

The whole discussion was pegged on the racial issue.

The committee studied a reidentification law presented by Mrs. Martha Smith, member of the Board of Registrars in Madison County. It would require reidentification of voters every 10 years, and compel registrars to keep an up-to-date list of voters.

BILLS INCLUDED

Any person found ineligible could be dropped immediately under the law.

Sen. Andrews said he will introduce this bill instead of one of his own on Friday.

Others reported out favorably by the committee included bills to:

1. Make it a felony to buy or offer to buy a vote.

2. Remove the penalty for selling a vote. This is to induce persons to testify in vote buying cases.

3. Require county grand juries to check at least 10 per cent of the machines or poll boxes in special, primary and general elections.

Absentee Voting, Good? Bad?

The Legislature is certain to take some action on absentee balloting, from the looks of the situation. Considerable attention has been fixed on it because of continuing occasional revelations of vote manipulation of absentee ballots.

The present state law is relatively liberal as to absentee voting. Anyone to be away from his voting district on an election day can cast an absentee ballot not earlier than 20 days before, nor later than five days before regular voting.

The absentee ballot in principle is sound. It is an extended protection of the individual's right to take part in political decisions, even though necessity requires him to be away from home.

The difficulty in the matter is that experience has shown that the absentee ballot is secretly maneuverable without much difficulty. For every specific case growing out of manipulation or alleged manipulation the general public seems to feel there may be a number more which never come to light.

A slight issue has been created in the introduction of two abolition measures. One would continue the absentee ballot privilege for the serviceman on duty out of the state. We do not kow why servicemen should be given the privilege as against, say traveling men or other businessmen who had to be away, but perhaps the theory is that there would be very few servicemen who would avail themselves of the opportunity to vote. This could mean, in such thinking, that the number of absentee votes which could be manipulated would be insignificantly small. But it could be said that all absentee votes are a relatively small percentage of the total.

We have no firm opinion yet, but if the evils inherent in absentee voting machinery are sufficient to warrant abolishing any absentee votes, all very likely should be eliminated.

FILIBUSTER SHOWDOWN STAGE IS SET

Black Belt Leads Way Toward Vote

Post-Herald

Bloc's Strategy In New Move Left Undisclosed

Birmingham, Ala.

FROM PRESS REPORTS

MONTGOMERY, May 14 —With a Black Belter leading the way, the Senate Rules Committee set the stoge today for an early showdown on a move to cut off one of the Black Belt's handiest filibuster weapons.

The committee, dominated by administration members, unanimously approved a rules change to make it more difficult to have the journal of the previous day's activities read in the Senate to kill time.

Even though Black Belters in the past have taken advantage of the present rules which allow one senator to demand the reading, the motion to change it came in committee from Black Belter Walter C. Givhan of Dallas County.

GIVHAN

If the rules change is adopted by the rest of the Senate, it will take a majority vote hereafter to have the journal read.

Givhan and others in the powerful Black Belt minority bloc apparently had decided earlier in the day to let the Senate vote on the rules change Friday without trying to delay the showdown.

They could filibuster the rules change motion itself for days if they wanted to. But they apparently decided against that strategy.

That could mean the Black Belters figure the advantage of reading the journal isn't worth the effort it would take to filibuster against it, especially since they would still have plenty of other ways to stall for time.

Or, it could mean they think they have the votes to defeat the rules chanve when the Senate votes on it.

If that's the case, Givhan's strategy in going along in the Rules Committee today prevented a roll call vote which would have shown how the committee members feel about the change.

Strategy Kept Secret

Sen. Lawrence K. Andrews of Bullock County, who has directed the filibustering strategy since the 1939 session opened, declined to say what the South Alabama bloc has in mind.

Even without the journal to read, Black Belt senators have an almost inexhaustible source of filibuster ammunition. They can introduce bills and have them read word for word; they can make the clerk read them a second time when they come out of committee, and again when they come up on the calendar for passage.

The one catch is that the Rules Committee report can be amended, and Black Belters like Sens. L. K. (Snag) Andrews of Union Springs and Roland Cooper of Camden indicated earlier in the week that they would filibuster "long and hard" against the change.

But Andrews refused to comment today on whether the Black Belt would fight the proposal.

Black Belter E. I. Eddins of Demopolis said, however, "what's the point in fighting it? There is plenty of other filibuster material like reading all bills at length."

Eddins added, "this change may just be a trap for the Black Belt, to get the public against us. Frankly, I don't think it's worth fighting."

Cooper said he would fight the change "as hard as we can." He said the Black Belt would caucus tonight or early tomorrow to map strategy.

Capitol observers said there were three possibilities on what would take place in the Senate tomorrow:

The Black Belt has the vote to keep the rules as they now stand and doesn't want to tip the administration.

The Black Belt does not have the vote and cannot drum it up.

Or the people in the Black Belt are pressuring their representatives to get down to business.

Legislature In Recess

The Senate and House were in recess today and the legislators devoted their time to committee work.

Senate Approves New Voter Laws

Birmingham, Ala.

Election Day Vote Buying Would Bring Stiff Punishment

Post-Herald

MONTGOMERY, May 19 (AP)—Far-reaching changes in Alabama's election laws—to disqualify some voters and prohibit others from selling their votes—were recommended today by the State Senate.

In a sudden outburst of legislative energy following filibustering tactics earlier in the session, the Senate worked through a 12-page calendar of bills.

It passed a bill to stiffen the punishment for buying votes on election day, and another to abolish the selling votes.

Then, in a rapid-fire order, the Senate approved a measure to prohibit the payment of poll taxes for anyone outside the family, and passed a bill to add city recorders courts to the list of those required to report convictions for which a voter can be disqualified.

Two other election measures, more controversial, were carried over for consideration later. One would abolish absentee voting altogether in the state, the other would do away with it for everyone except members of the armed forces.

Sen. Lawrence K. Andrews of Bullock County, who sponsored the anti-vote buying bill, said it would be useless to change the law as long as the one who sells his vote can be prosecuted. In the past it has been impossible to get convictions because of that, he said.

"If the man who sells his vote testifies he sold it," Andrews explained, "he testified himself right into trouble. So you don't have any witnesses to go to court with, because the man who sold his vote isn't going to admit it."

But if the penalty is removed, he said, the courts can get his testimony. And with the heavier penalty for buying votes, he said it can go a long way toward stopping the practice.

When Sen. Upshaw G. Jones of Elmore protested against sending someone to prison on the testimony of "a man who would sell his vote and would sell his testimony for the same price," Andrews assured him the jury could consider that.

Under the newly approved measure, vote-buying or attempting to buy a vote would be punishable by a minimum of a year in prison.

The bill to prohibit poll tax payments for someone besides a relative is one of several measures introduced in the Legislature in an effort to restrict Negro voting. Sponsors say it would keep some Negroes away from the polls who cannot or will not pay the poll tax themselves.

Convictions for which voters can be disqualified are already reported by most courts to the county boards of registrars. The measure passed today adds recorders courts to the list.

Post-Herald

Its effect would be to disqualify some voters who are now being overlooked because their convictions aren't reported.

On other matters, the Senate passed a bill to allow cities to levy a license tax on small loan companies even though they didn't have one in effect prior to 1951. The present law limits the license to those which had one in effect before then.

And city officials who can now be bounced out of their jobs by a change in the form of government would be protected under another measure passed by the Senate and sent to the House.

It would delay the change in government until the incumbent officeholders have completed their terms.

Running down its calendar, almost without a dissenting vote, the Senate approved two bills aimed at preventing the state Conservation Dept. from spending money the Legislature hadn't appropriated.

The administration-sponsored measures would prohibit the department from using revenue from the sale of timber and gravel on state-owned lands unless the House and Senate have written it into the budget.

Existing law has allowed department officials to spend the money over and above the amount specifically budgeted.

Jefferson Sen. Larry Dumas and Rep. Holt Rast of Jefferson sponsored companion measures to require boat owners to abide by water safety rules to be drawn up by the State Conservation Dept.

Brown Takes 'Bit Broader' Voting Stand

Advertiser

Montgomery, Ala.

OZARK (AP) — Mayor James D. Brown said Thursday he told a Civil Rights Commission hearing in Washington he would take a broader view of voting rights than Gov. John Patterson does.

Brown, chairman of the Alabama advisory committee to the commission, said he told the commission in Washington Wednesday that the state is trying to do right by the voting question but that Patterson is taking the view of Citizens Councils that Negroes are not entitled to vote.

"If I was governor, I'd look at it a bit broader," he added.

Brown said he feels that anyone who is qualified should be entitled to vote but that the white people in Black Belt counties fear they will become a minority group at the polls.

The committee chairman said the state will never integrate its public schools and "if picked on, it might lead to bloodshed."

Integrationists will never force desegregation on the South, he added.

"They can't put things in people's hearts that are not there," he continued. "They can't put a federal officer in every polling place, every school and every factory to see that it's carried out."

U.S. Sues To End Ala. Vote Denial

By DONALD F. MARTIN

MONTGOMERY, Ala.—(UPI)—The civil rights division of the Justice Department goes to federal trial Monday charging that properly qualified Negroes were denied voting rights in Macon county, site of famed Tuskegee Institute.

It is the second voter right suit brought by the department's new civil rights division. The first suit charged Terrell County, Ga., registrars with refusal to register "fully qualified" Negroes, four of whom were school teachers. Trial is pending in that case at Columbus, Ga.

The Alabama suit charges the Macon board of registrars with violation of Negro voting rights and seeks a permanent injunction to prohibit alleged discrimination in the registration of Negroes because of race or color.

The suit also tests, for the first time, the use of segregated facilities in the registration process.

Negroes outnumber whites four-to-one in Macon county.

The complaint names as defendants registrars E. P. Livingston and Grady Rogers. Both men refused to testify before Civil Rights Commission hearings here Dec. 8-9 and they quit their official jobs the day after the hearings were closed.

The Justice Department said the men were named as defendants because, under the law, they are required to serve as registration officials until their successors are appointed.

The suit complains that in Macon county white registered voters number 3,016 out of about 3,100 or approximately 97 per cent. The suit claims only 1,100 Negroes out of approximately 14,000 are registered or 8 per cent.

"The disparity between the respective percentages of white and Negro citizens of voting age," the suit contends, "has been brought about and is being perpetuated by racially discriminatory acts and practices of the defendants."

The complaint alleges the registrars utilized "different and more stringent standards" to Negroes than to white applicants, including such requirements that they be able to read and write any article of the U. S. Constitution.

The complaint lists 12 college graduates, most of them with graduate school degrees, and 12 high school graduates who were turned down by the board "for reason of race or color."

The Justice Department has demanded the Macon registrar board produce voter application records for full examination.

Alabama Atty. Gen. MacDonald Gallion answered with a motion to quash the suit on grounds it cannot be enforced through the Civil Rights Act of 1957.

Civil Rights Suit Is Thrown Out

Justice Department Move Rejected By U.S. Court At Montgomery

By The Associated Press

MONTGOMERY, Ala., March 6.—The Justice Department was rebuffed Friday in its request for a court order to prevent denial of Negro voting rights in Macon County.

United States Dist. Judge Frank M. Johnson Jr. ruled there is no one to get an injunction against since there is no functioning Registration Board in the county.

The last two remaining board members resigned Dec. 10 and no one has been appointed to take their place.

The Justice Department will appeal. It declined further comment. The case will be heard by the Fifth District Appeals Court in New Orleans.

Right To Quit Upheld

Judge Johnson threw the Government's suit out of court on the grounds:

1. That E. P. Livingston and state Representative Grady Rogers had a right to quit their jobs as registrars despite the Justice Department's contention they could not legally resign.

2. Neither the Board of Registrars nor the State of Alabama can be held responsible under the Civil Rights Act under which the Government suit was filed.

Judge Johnson agreed with state's attorneys that the Federal law enacted in 1957 gives the Justice Department only the right to take action against "persons" responsible for voter registration.

Not 'Persons'

And he upheld the state's contention that neither the board nor the state is a "person" under the law.

The complaint, which asked for an injunction to prohibit future discrimination, charged that Negroes for many years have been denied the right to vote solely because of their race.

Although Negroes outnumber whites in the county nearly six to one, the Government said there are twice as many whites as Negroes on the voting list.

The complaint listed 20 Negroes who allegedly were qualified to vote but were turned down. Most were college graduates. Some were college instructors.

Alabama Asks Voiding Of Tuskegee Voter Suit

MONTGOMERY, Ala. (AP)—Alabama state attorneys asked a federal judge Friday to throw out a Justice Department suit charging denial of Negro voting rights in Macon County.

Atty. Gen. MacDonald Gallion contended in his answer to the suit that the resignation of the remaining two members of the Macon County (Tuskegee) voter registration board left no one to file suit against.

The federal government insisted in filing the complaint that E. P. Livingston and State Rep. Grady Rogers are required by state law to remain in office as registrars until their successors are appointed.

Livingston and Rogers resigned from the board last December in the wake of a Civil Rights Commission inquiry. The third board member had died a short time before.

Gallion contended that under the federal civil rights act, the suit must be filed against individuals, but that with Livingston and Rogers gone from the board, the complaint amounts now to an action against the state of Alabama.

And, he argued, the state cannot be sued.

Gallon also asked U.S. District Judge Frank M. Johnson Jr., to rule against a Justice department motion to compel Macon County authorities to preserve old registration records.

Under a newly enacted state law, registration authorities in all 67 counties in Alabama are authorized to dispose of old questionnaires filed out by prospective voters who have been turned down.

The Justice department wants the Macon County records as evidence in its pending suit which charges systematic discrimination against Negroes.

Johnson has set a hearing for Monday on the motion to save the records and ordered county officials in the meantime to see that they are preserved.

Ala. moves to cripple halt the U.S.

MONTGOMERY, Ala. — A pair of legal manipulations, designed to keep Alabama voter records away from Federal investigators, passed in the Alabama Legislature last week without opposition.

By votes of 87-0 and 84-0, the House sent through bills giving legislators immunity from arrest or service with a court while they are attending a legislative session.

And a measure for the expressed purpose of denying Federal agents access to state voter records.

THE ACTION is apparently aimed at the U.S. Civil Service Commission which has been investigating alleged vote purges of colored persons in Alabama.

With Gov. John Patterson's signature, the bill to keep Federal authority from examining vote records could become law immediately.

The voter bill, a drastic measure, permits registration officials to destroy the old forms of rejected applicants, regardless of the reason for the rejection.

The examining boards must keep the records, however, for 30 days in order that a rejected applicant may appeal to the courts, if he wishes.

THE U.S. Civil Rights Commission seeks Alabama voter registration records to use as evidence in a Justice Department suit charging vote discrimination against colored persons.

Federal suit against Macon is dismissed

MONTGOMERY, Ala., March 6 —(AP)—The federal government's suit to prevent voter registration authorities in Macon County from denying Negroes the right to vote was thrown out of court today by U. S. District Judge Frank M. Johnson Jr.

Johnson ruled that since the last two remaining members of the board of registrars had resigned and there is no functioning board in Macon County there is no one left for the Justice Department to take action against.

HE DISMISSED the pending suit, which asked for an injunction to prohibit registration authorities in the future from discriminating against prospective Negro voters because of their race.

Federal attorneys charged in the complaint filed Feb. 6 that Negroes, who outnumber white residents in Macon County nearly 6-1, have been denied the right to vote for many years solely because of their color.

New Vote Probe Opens; Court Complaint Filed

Suit Charges Registrars In Macon

By ALLEN GUNN

The Department of Justice Friday filed suit in Montgomery in an effort to force registration of qualified Negro citizens of Macon County as voters.

In a complaint filed in the U.S. District Court here against the Board of Registrars of Macon County and against Grady Rogers and E. P. Livingston, members of the last functioning board of the county, the U.S. government accused the board, regardless of its membership of "acts and practices" which have "resulted in depriving qualified citizens of their right to vote solely by reason of their race or color."

The complaint seeks a judgment declaring that certain alleged practices are "in violation of the Constitution and laws of the United States, and that the defendants are under the legal duty not to engage in such practices," and an injunction enjoining the defendants and any successors to them in office from persisting in those practices.

PROPER APPLICATION

Contained in the complaint is a list of "qualified Negro citizens" who the complaint charges have made "proper application for registration" and have been refused registration "for reason of race or color." Included in the list are 13 Negroes who testified at the December hearing of the federal Civil Rights Commission in Montgomery. These are:

Daniel Webster Wynn, who has a Ph.D. degree from Boston University.

Fidelia Jo Anne Adams, who has a B.S. degree from Tuskegee Institute and is now working for an M.S. degree in organic chemistry at that school.

Mrs. K. Eaton Scott, who has a B.S. degree from North Carolina College, Durham, N.C.

Leida Ruth Williams Davison who has a B.S. degree from Alabama State College and is now working for a master's degree at Tuskegee Institute.

Betty Alice Henderson, who has a B.S. degree from Miner Teachers College, Washington, D.C.

John W. Jackson Jr., who has a B.S. degree in architecture from Tuskegee Institute.

Charles Edward Miller, who has a B.S. degree in business administration from West Virginia State College.

Doris Ezell Nearrol, who has a B.S. degree in nursing education from Tuskegee Institute.

Marie Williams, who is a high school graduate and has had three and a half years towards a degree at Tuskegee Institute.

George C. Busby Sr., who is a high school graduate and has attended the Washington University College of Business Administration.

Roberta A. Lightfoot, who is a high school graduate and a graduate nurse.

Lena Hayden Johnson, who is a high school graduate.

Estelle Johnson, who is a high school graduate.

DID NOT TESTIFY

Others listed who did not testify at the hearings are:

Bettye J. Mindingall Ward, who is a high school graduate and graduate nurse.

Bettie B. Quinn, who is a high school graduate and a graduate nurse.

Artemisia Jones Junier, who has a B.S. degree from Tennessee State College and a graduate degree in library science from Atlanta University.

Llewellyn Wilbert Davis, who has an M.S. degree from Columbia University.

Jordan Davis, who has an A.B. degree and a Bachelor of Divinity degree from Union University, Richmond, Va.

Eugenia Cook Billes, who has an A.B. degree in education from Southern University.

Juanita H. Howard, who is a high school graduate.

COPY OF COMPLAINT

Rogers, who was recently sworn in as a member of the state legislature, was served with a copy of the complaint at the Capitol where he was attending committee meetings of the legislature. A copy was also delivered to the state Attorney General's office.

The suit is brought under a provision of the Civil Rights Act of 1957, the same act which created the Civil Rights Commission. This act also gives jurisdiction in such suits to the federal courts.

The complaint asks for a "declaration of the rights, duties, and legal relations of the parties" in accordance with federal law.

Specifically the complaint asks the court to declare in violation of the Constitution and laws of the United States these alleged practices:

The maintenance of racially segrated registration facilities;

The refusal of a board of registrars to convene or to receive or to act upon applications for registrations for voting for the purpose of preventing Negroes from becoming registered voters;

The following of arbitrary and discriminatory practices as between Negro and white applicants for registration, including the practices of unreasonably delaying the admittance of Negro, but not of white persons, to the registration office; the holding of irregular and unreasonable hours for the receipt of applications of Negroes; the refusal to entertain applications of Negroes at normal business hours; the failure to convene the board at the times announced; the closing of the registration office provided for Negro applicants while registering white applicants elsewhere; the failure to reveal the hours at which the applications of Negroes would be received; and unreasonably prolonging the registration process in the case of those Negroes who finally were admitted to the registration office;

The application of different and more stringent standards to Negro than to white applicants for registration for voting;

The failure to register qualified Negro applicants for registration for voting on account of their race or color.

PERMANENT INJUNCTION

The complaint also askes a permanent injunction enjoining the defendants, their successors, and any agents and employes of the board from:

Maintaining separate offices for Negro and white applicants;

Failing and refusing, on the grounds of race or color, to convene and function as a board of registrars;

Using different facilities and procedures for registering Negro applicants from those used for white applicants;

Failing or refusing, for reasons of race or color, to register the persons listed in the complaint and others similarly situated;

Applying different and more stringent standards and rules to Negro applicants for registration than to white applicants in the administration of registration requirements provided by the constitution and laws of the State of Alabama;

Engaging in any other acts, practices, methods or procedures in whatever form, whether by law, custom, or otherwise, which discriminate or tend to discriminate against any applicant for registration for voting in Macon County on account of his race or color.

The complaint, signed by W. Wilson White, assistant attorney general and chief of the Civil Rights Division of the Dept. of Justice, and U.S. Atty. Hartwel Davis of Montgomery, was prepared by Dept. of Justice lawyers in Washington and sent to Montgomery for filing by the U.S. attorney in the district court, it was understood.

INDEPENDENT AGENCY

The board, according to the complaint, is an independent state agency with the following powers and duties:

To receive and consider application for registration at designated times and places in Macon County;

To register all qualified applicants of Macon County;

To preserve registration records according to state law; and

To operate a registration office.

The complaint charges that for years the board, "whatever its membership," has persisted in acts and practices contrary to "a constitutional obligation fo fulfill the foregoing duties without regard to considerations of race or color" which have "resulted in depriving qualified citizens of their right to vote solely by reason of their race or color."

It charges Rogers and Livingston, while engaged in the course of their official duties, of having "discriminated against qualified Negro citizens on account of their race of color."

Rogers served as a member of the board from 1951 to 1956, according to the complaint, and he and Livingston became members of the present board in August, 1956 and March 1957, respectively. The complaint also takes note of the resignations of the two from the board last December, claiming that under Alabama law they "are required to continue to perform duties and functions as registrars until their successors are appointed and have qualified."

14,000 NEGROES

The complaint claims there were in 1958 about 3,100 white citizens of voting age in Macon County and 14,000 Negro citizens of voting age. Of these on Dec. 1, 1958, about 3,016 white citizens, or about 97 per cent of the total of voting age, and about 1,110 Negro citizens, or about 8 per cent, were actually registered to vote.

The board is charged in the complaint with numerous discriminatory practices and ruses to discourage or prevent registration of Negro voters. These are the practices from which relief is asked.

Included with the complaint as appendices are sections from the statutes and constitution of Alabama which set forth the qualifications for registration.

Under federal court procedure the defendants have 20 days in which to file an answer. A common answer in suits of this type—and the one most likely to be followed in this case—is a motion

to dismiss the suit on legal or technical grounds.

Such a motion would be set for hearing during the next regular motion docket of the federal court which is scheduled for March 11.

Should the motion to dismiss be granted, the suit would be thrown out of court, pending an appeal to a higher tribunal. If the motion to dismiss is denied, the defendants then have 10 days to file their pleadings, another legal way of resisting the suit.

After pleadings are filed, the case is set for a hearing on its merits. Such a suit as this is heard by the federal judge without a jury.

Contempt Writ Looms As Threat To Wallace

Court Demands Jurist Explain His Defiance

By ALLEN GUNN

U.S. District Judge Frank M. Johnson Jr. Thursday ordered Circuit Judge George C. Wallace to appear in court on Jan. 26 to show cause why he should not be found guilty of criminal contempt of court.

The order came as a result of the Clayton circuit judge's refusal to comply with an order of the federal court directing him to turn over voter registration records of Barbour and Bullock counties to investigators of the federal Civil Rights Commission for examination on Monday and Tuesday.

Judge Wallace instead called special grand juries in the two counties and turned over to them the records, which he had previously impounded pending grand jury investigations of alleged voting irregularities. The grand juries in both counties subsequently allowed the commission agents to examine the records.

SHOW CAUSE ORDER

Judge Johnson issued the show cause order upon the petition of Justice Dept. attorneys Joseph M. F. Ryan Jr. and Robert Owen, whom the federal jurist instructed in an open court hearing Thursday morning to institute the criminal contempt proceedings.

The petition charges that "the actions of George C. Wallace in persistently refusing to make the described records available for inspection in accordance with this court's order in spite of repeated demands of the agents of the Commission on Civil Rights, and the actions of George C. Wallace in delivering the described records to the grand juries of Barbour and Bullock counties, Alabama, which he had hastily called into session after the court's order of Jan. 9, 1959, constitute a disobedience and a defiance of this court amounting to criminal contempt of this court."

Judge Johnson's show cause order requires Judge Wallace appear at 10 a.m. on Monday, Jan. 26, a week after he leaves office as circuit judge. Judge Wallace, rather than seek reelection, ran for governor, losing in a run-off to Atty. Gen. John Patterson. He will be succeeded in office by his brother, Jack W. Wallace.

The order appoints Ryan and Owen, who have acted as attorneys for the Civil Rights Commission, to represent the federal court and to prosecnte Judge Wallace for contempt.

At the Thursday morning hearing which Judge Johnson scheduled for reports on the progress of the commission investigation and for any furhter motions which might be in order, Ryan told the court that the commission agents had completed their investigations in Barbour and Bullock counties. He said the commission sought no further relief from the court.

The Justice Dept. attorney said that in spite of "dilatory tactics" and "questionable and childish conduct" on the part of Wallace, the purpose of Judge Johnson's order has been effectuated "in that all records were produced in a jumbled-up form." He reported the commission agents had made a "spot check" of the records which had shown a pattern.

ENHANCE PATTERN

"They (the agents) feel that more time would only build up a cumulative case that would enhance the pattern," Ryan told the court. Neither he nor the agents would disclose what that pattern is.

Upon the motion and report of the commission attorneys, Judge Johnson closed the civil action involving Judge Wallace and registrars M. T. Evans, J. W. Speer and J. W. Stokes Sr. He said that because of "cooperation given and qnestions answered by certian of the registrars, no further testimony will be required of them at this time."

Judge Johnson stated, "Although dilatory tactics and formal refusals were engaged in this court's order was in fact though not technically complied with by devious methods employed by Wallace."

The federal judge then directed the Justice Dept. attorneys to institute the criminal contempt proceedings against Judge Wallace by filing an "appropriate complaint as soon as possible."

The complaint was filed and the order issued by Judge Johnson about noon Thursday.

In the hotel room where Wallace awaited the outcome of the hearing, the defiant judge declined to comment or to issue a statement. His attorneys explained that it would not be wise for him to do so while he is still before the court.

However, when he turned the voter records over to the grand juries, Judge Wallace told them he was ready to "face the consequences."

Subpoena Powers Sought For Probers

WASHINGTON (AP)—Atty. Gen. Rogers expressed hope Thursday that Negro citizens will keep trying to register and vote even if previously unsuccessful.

In response to a question, the attorney general said the administration's new civil rights proposals to Congress will include a request that the Justice Department be given direct subpoena powers in connection with voting investigations.

Rogers declined to say anything else about the program except that it will go to Congress in about two weeks.

In explanation of the subpoena proposal, Rogers said the department now can get needed records by going through a grand jury. But he said this implies a criminal prosecution, and that the department would pefer to use civil procedure.

PATTERSON RIPS FEDERAL MOVES

Assails 'Unconstitutional Encroaching' on States

Alabama Gov. John Patterson Friday lashed out at "unconstitutional encroachment by the federal government upon the powers of the state."

Addressing a banquet for Louisiana's district attorneys in the Roosevelt, the 37-year-old crime-busting governor said:

"Every state in the Union is feeling the heel of the federal government.

"In the South this unconstitutional attack by the federal government is reflected in recent decisions of the United States supreme court involving school segregation, public transportation and public parks, swimming pools and golf courses."

PURELY LOCAL VIEW

The operation of public schools is purely a local matter and such powers are reserved to the states by the constitution, Patterson said.

On other matters relating to race relations, and particularly with regard to vote registrations, Patterson said:

"The constitution leaves the determination of the qualifications of electors for state and federal elections to the states.

"We have the unusual situation of a civil rights commission engaged in depriving the people of their civil rights."

In a daytime interview and in remarks at an appearance during the start of the Attorney General's Conference for District Attorneys. Patterson warned New Orleans against gamblers and organized vice.

WARNS ON GAMING

Patterson, who helped clean up Phenix City as attorney general of Alabama, said that gambling attracts other forms of vice.

One of the greatest dangers, he said, is that gambling leads to corrupt government.

He warned against gamblers gaining control of voter registration and jury selection.

With such control, if the vice lords can't do it, they can "buy" elections, Patterson said.

"Possession of one slot machine is not a terible offense," he said. "But the terrible thing is the police officer who winks at it.

'WILL WINK AT 1000'

"If he winks at one he will wink at 1000. Pretty soon the official who winks at a misdemeanor will wink at a felony."

In his address Patterson said the Supreme Court threatens the "continued existence of a splendid school system in the South."

No school can operate "at the point of a bayonet," he said.

"I know that the people of my state will not tolerate nor support an integrated school and if the federal government attempts to ram integration down our throats we will see the destruction of our public school system.

"This would be a calamity. Both races and our nation would suffer."

He said that the recent "invasion" of Alabama by the civil rights commission to investigate alleged violation of voting rights for Negroes "was indicative of the assault" by the federal government.

REGISTERING QUALIFIED

In a morning panel discussion at the attorney general's conference, speakers said it is the duty of district attorneys to see that registrars comply with the law by registering only those who are qualified.

Thompson L. Clarke, St. Joseph, said that district attorneys must act "as thermostats rather than thermometers," to control attempts of Negroes to increase their vote registration numbers.

"You can't play footsie or tootsie with that kind of people. That race has never been known to show gratitude.

"The race has already taken over both political parties as well as the President of the United States."

Clarke, district attorney for the Sixth Judicial District, said that the aim of the National Association for the Advancement of Colored People is "to gut us."

SHAW, BENTON SPEAK

Other speakers were William Shaw, Homer, general counsel for the Louisiana legislative segregation committee and John Benton, Minden, secretary-treasurer of the district attorneys' association.

Attorney General Jack P. F. Gremillion presided over the conference and was master of ceremonies at the banquet.

Shaw said that the civil rights commission was an unconstitutional body. He urged that district attorneys notify his committee and the attorney general's office as soon as commission agents contact the registrars of their parishes.

"We are looking forward to an opportunity to challenge the commission's constitutionality if the commission ever rears its ugly head in Louisiana," he said.

Shaw said the law establishing the civil rights commission grants it authority to conduct "star chamber" executive sessions.

Benton said that the number of registered Negroes in Webster parish dropped from 1700 to 73 when the registrar followed "the letter of the law without discrimination."

TELLS OF FBI CHECK

He also described the investigation in Webster parish last year by the FBI after the Negro registration fell off.

A subsequent grand jury investigation resulted in the finding that no person had been illegally denied the right to register.

In the afternoon Albin P. Lassiter, district attorney, Monroe, said that non-support has become a social problem and he recommended that the state welfare department consider handling cases of non-support.

He said he will ask the association president on Saturday to name a committee to explore this change.

In a panel discussion on the proper revision of the state's criminal code, law Professor Dale E. Bennett of Louisiana State university said that among matters dealt with by committees are such questions as "When may deadly force be used by a law enforcement officer", changes in the extradition laws, arrest laws, insanity procedures and preliminary examinations.

Other panelists were Leon D. Hubert, Tulane university, and Adrian G. Dupantier, Loyola.

On Saturday the Louisiana District Attorneys' Association will have its annual meeting starting at 10 a. m. Fred L Jackson, Homer, is president.

Text Of Statement By Gov. Patterson

Gov. John Patterson Friday night issued the following statement:

"I understand that the Federal Government filed a motion in federal court Friday in Montgomery asking for a court order to seize the Macon County voter registration records.

"This action by the federal government doesn't make any sense to me as the federal agents examined the records of the Macon County registrars less than a month ago and made photostatic copies of the records.

"Why should they be asking for something they already have? Obviously this is another example of the federal government's efforts to seek publicity and do everything they can to discredit and intimidate state officials. This is a cheap publicity stunt emanating from the White House and the Justice Department in Washington.

"And further, the federal government has gone back on the agreement it made in federal court here in Montgomery and is acting in violation of that court order."

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ALABAMA

Has been abused—

Legislature may eliminate or limit absentee voting

BY FRED TAYLOR, News staff writer

ANDALUSIA, Ala., March 21 — The absentee ballot, which officials feel has lent itself to more election skullduggery than any other voting device employed by politicians in Covington or any other county, may be on the way out in Alabama.

If this method of voting is retained, a good bet is that it will be restricted by the Alabama Legislature only for men and women in the armed forces from this state.

IRREGULARITIES charged in connection with absentee voting apparently had much to do with bringing an investigation by a Covington County Grand Jury, which earlier this week returned 66 vote fraud indictments against 16 persons.

The allegations grew out of the Democratic primary elections in Covington last May and June when the fighting for public offices was heated and bitter.

TAYLOR

And although at least one of the inquisitors' accusation — that against Register-in-Chancery Abner Powell Jr., widely known and highly respected Andalusia attorney— reportedly was technical in nature, the Grand Jury's report undoubtedly had given impetus to a movement to junk the absentee ballot.

Under $500 bond

POWELL WAS placed under $500 bond Saturday on a charge of "illegally aiding an absentee voter." He has been register-in-chancery 21 years and, as such, is custodian of absentee ballots.

He became the 13th person indicted by the Grand Jury in its investigation of voting irregularities in Covington to be placed under bond. Three others are yet to be bonded.

Regarding the allegation that he had given "illegal aid" to an absentee voter, Powell told this reporter that "it's just a regretable mistake."

Several legislators, including State Rep. Fletcher Jones of Covington, are set to push through voting reforms that would, in Jones' words, "knock out the absentee ballot, except for service men and women."

"I'm confident this legislation can be passed," he added.

ONE OF THE hottest races last Spring in this county was that between highly esteemed former Probate Judge Hiram Brogden, and likewise highly regarded Leland Enzor, Andalusia attorney, who was its mayor at the time of his victory over Brogden.

The latter had been probate judge 36 years. And some Andalusians were frank to say Judge Brogden's long tenure in office probably had considerable to do with his defeat. They also said he had made an outstanding record as probate judge.

Enzor, who was installed as Covington's probate judge in January, proved his vote-getting prowess in defeating Brogden, who had been county education superintendent before he was elected probate judge.

In the first primary last May, when Brogden led Enzor in total votes by a comparatively narrow margin, the Brogden polled a lopsided margin of 522 absentee votes to 84 for Enzor.

But no charges have been made against Brogden.

632 votes cast

TWO OTHER aspirants for the probate judgeship got only 26 absentee votes between them for a total absentee vote of 632 in that particular election.

This was more absentee votes than had ever been polled before in Covington. But the total vote of 10,972 for all candidates in that race also set a record for the county. Covington has about 17,000 persons listed as qualified voters, it was said.

Enzor pounced on the absentee ballot issue hard, as did some of the other candidates who won.

But keepers-in-touch recalled that Judge Enzor's triumph undoubtedly was considerably aided by the strong support given him by adherents of John Patterson, who carried Covington in both the first and runoff primaries in winning the governorship.

Of the 12 placed under bond earlier on Grand Jury indictments charging voting irregularities, such charges were listed against them as "procuring fraudulent absentee votes" and "attempting to procure fraudulent absentee votes."

Abuses elsewhere

LEGISLATORS WHO are preparing to introduce bills to tighten up on absentee voting, or abolish it altogether, also point to ballot-ing shenanigans in Elmore and other counties last year, with absentee voting abuses being charged.

Register-in-Chancery Powell, who was not a candidate himself in last year's primary elections (he is appointed by Circuit Court judges), has served under three circuit judges. He was reappointed only recently by Judge Murland Smith.

Powell had adopted in his office a system of checking identification of persons voting absentee ballots. He did this in the June runoff primary last year, after complaints had been raised the day before the first primary.

There had been charges that certain persons not qualified to vote had impersonated voters eligible to cast absentee ballots.

Other developments

THE GRAND JURY action also brought other developments. One was a statement by Circuit Sol. Joe Breck Gantt of Florala that he would ask Judge Smith to reconvene the jurors.

That is, if the Alabama Supreme Court ruled that Probate Judge Enzor must answer a question propounded by the inquisitors concerning alleged voting irregularities.

Judge Enzor had been jailed one hour for contempt for refusing to answer the question on grounds he could not violate a lawyer-client relationship.

Question quoted

SOL. GANTT said Judge Enzor had refused to answer the following question:

"Will you give us the name of the election official from Beat 3, Box 1 (Opp) in the last Democratic primary who told you that he had offered a sum of money ($100) to miscount or tamper with the election returns?"

Andalusia Atty. Robert Albritton promptly tore into Gantt, asserting the solicitor "has violated his obligation for keeping secret testimony given to a Grand Jury."

Gantt slapped back at the charge by Albritton, declaring "I have said nothing that concerns the deliberations in the Grand Jury room, except that part which is public record."

What About The Gaffney Case?

AMID ALL THE thousands of words now being devoted to voter registration, consider the case of Capt. James B. Gaffney.

Capt. Gaffney is superintendent of the federal prison which is located on Maxwell Air Base property.

He is a native of South Carolina with all the feelings and sentiments of a typical South Carolinian.

He has been a resident of Montgomery county for 29 years.

But he has been refused registration as a voter though he has tried over and over to become a voter.

All the time he has been a resident of Montgomery County he has been forced to pay state income taxes like other citizens of the state.

He is a man "without a country," and a conspicuous victim of "taxation without representation."

Among the many times Capt. Gaffney has been refused the voting privilege in the county where he has resided for 29 years he was given a written reason in 1956 by the Montgomery County board of registrars. On official stationery and in the handwriting of the chairman came this letter dated April 2, 1956:

"Maxwell Air Force Base does not come under the political jurisdiction of the State of Alabama, or the County of Montgomery—therefore we were unable to register James A. Gaffney who applied for registration in Montgomery County on the 2nd day of April, 1956.

"Mr. Gaffney resides on the Base and therefore is not a legal resident of Montgomery County, Alabama.

"Mrs. C. B. WILLIS,
"Chairman Board of Registration, Montgomery County."

Though Capt. Gaffney is not permitted to register, what about state income tax payment? Since he is not permitted to vote Capt. Gaffney has resisted payment of state income tax. Such resistance has done him no good. His deposits in the bank have been garnisheed and the tax collected by force of state authority.

After the state adopted the employer deduction method of income tax payment the U. S. government has regularly deducted from his check each month one-twelfth of his state income tax and has turned the sum over to the state in quarterly installments.

With all the hullabaloo now being ments of Capt. Gaffney should be entitled to have his say in government by being permitted to vote where he has raised about the failure of registrars to increase the voting lists in Alabama. With so many unfit seeking to become voters, it does seem that a man so thoroughly qualified as Capt. Gaffney would be entitled to assist in his adopted state by being on the voting rolls.

His case is in striking contrast to all those now causing such clamor vote. He is no longer a citizen of his native state, South Carolina, and has turned the state over to the state in quarterly

lived for 29 years. Yet he has been paying when time comes to pay state income taxes and he has been levied.

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Though Capt. Gaffney is not permitted to register, what about state income tax payment? Since he is not permitted to vote Capt. Gaffney has resisted payment of state income tax. Such resistance has done him no good. His deposits in the bank have been garnisheed and the tax collected by force of state authority.

After the state adopted the employer deduction method of income tax payment the U. S. government has regularly deducted from his check each month one-twelfth of his state income tax and has turned the sum over to the state in quarterly installments.

With all the hullabaloo now being made of Capt. Gaffney should be entitled to have his say in government by being permitted to vote. He is a citizen of his native state, South Carolina, and has turned the state income tax and has turned the Negroes on the voting lists, it does seem that a man of the standing, when time comes to pay taxes and he has been paying since first his citizenship and Southern sentiment by being permitted to vote. He is no longer a citizen of Alabama or of South Carolina, and has raised about the failure of registrars to increase the voting lists in Alabama. With so many unfit seeking to become voters, it does seem that a man so thoroughly qualified as Capt. Gaffney would be entitled to assist in his adopted state by being on the voting rolls.

His case is in striking contrast to all those now causing such clamor to become voters. He is a citizen of Alabama, and has lived for 29 years. Yet he is not permitted to register, what about state income tax payment? Since he is not permitted to vote Capt. Gaffney has resisted payment of state income tax. Such resistance has done him no good. His deposits in the bank have been garnisheed and the tax collected by force of state authority.

After the state adopted the employer deduction method of income

Threats Against U.S. Judges

A courageous Norfolk Federal District judge admitted that he had received from 500 to 1,000 threatening letters and telephone calls.

But he added, he expected to do his duty in the trials of school segregation cases.

In Alabama, last week another Federal District judge declined to hold in contempt a segregationist who pleaded guilty of defying a court order.

The segregationist had refused to give the Civil Rights Commission Alabama voting records.

The commission got the voting records showing discrimination against colored people when the segregationist, an ex-state judge, turned them over to a grand jury.

How many threatening letters did the Alabama Federal judge receive?

Did threatening letters make him fearful of jailing the defendant who boldly admitted defying him?

* * *

IN TRYING the Little Rock school cases last year, a visiting Federal District judge received so many threatening letters and phone calls he was guarded night and day by Federal agents.

He was glad to leave Arkansas and return to his own state.

All this raises a very serious question.

If 500 or 1,000 persons can threaten and abuse a Federal judge by phone and letters, without a single person being punished, how long will it be before Federal judges get 5,000 to 10,000 threats?

From that point would not the situation resolve itself into a matter of trials by mobs or a dead judge?

* * *

ALL JUDGES take an oath to defend the Constitution of the United States and to decide the issues which come before them on the basis of the evidence and the law.

It may be said that Federal judges assume office with the expectation that there may be intense disagreement with one of their decisions. This is a risk judges must take.

This may be entirely true, but it appears to us that an alert and conscientious Department of Justice would not sit still in Virginia or Alabama or Arkansas while Federal judges and their families get 500 to 1,000 warnings or threats.

There is one more question which asks itself. Is there any relation between the systematic public abuse and threatening of Federal judges and the lack of direct court action?

* * *

FOR EXAMPLE, where violations of the 14th Amendment are uncovered, why are school boards not ordered to admit the plaintiffs immediately?

Why aren't they admitted pending appeals and requests for stays which are known and accepted as no more than evasive tactics?

If a state legislature orders public schools closed to avoid integration, that is discriminatory action based on race and color alone and is prohibited by the 14th Amendment.

Why do the courts not so hold?

Are Federal judges afraid of governors of states or members of legislatures who defy the law? Certainly, Faubus should have been in jail for defying court orders long ago.

How much of the court's failures in Arkansas, Alabama and Virginia (in some instances) is due to the threats against Federal judges?

That's a good question, Ronald.

TO SAVE $100,000 ANNUALLY

Bill Shaped To Trim Vote List Fees

By HERSCHEL CRIBB

A bill to cut down on fees collected by county probate judges for making up voting lists is being considered by the subcommittee on segregation and voting.

W. G. (Bill) Hines of Chambers County, vice chairman, said the bill will limit payments for such lists to one election every two years. He said the bill will save taxpayers over $100,000 a year.

Now, the probate judge gets five cents per name for preparing new lists for any election held.

The new bill would limit this to the general election list only. These lists are prepared for the election officials and paid for by the various counties.

The probate judge is paid for the master list only. Thus if a county list has 10,000 voters on it at five cents per name, the fee would amount to $500.

As of now, the list for each election—special and otherwise—is paid. Thus, the probate judge might be paid several times within a two-year period.

The bill under consideration would amend Section 55, Title 17 of the 1940 Alabama Code which deals with the compensation of assistants and clerical help by the judge of probate for preparing list of qualified electors which he is required to furnish to election inspectors.

The five cents per name fee is designed to provide money for such compensation.

According to another bill, Alabama druggists won't have to pay any use tax on medicine bottles if it passes.

George (Bubba) Bailey, vice chairman, said the subcommittee on health, safety and welfare is drawing such a bill upon the recommendation of the Alabama Pharmaceutical Assn.

At present, druggists must pay the use tax on the bottle unless two or more ingredients are used in the prescription.

This is according to a ruling of the Alabama Supreme Court on Feb. 19, 1959. The ruling put the question back where it was in 1951.

In that year, the then revenue commissioner ruled that the use tax must be paid if only one ingredient was included, but not if two ingredients were used.

This was on the basis that if two drugs are compounded, "manufacturing" is involved. If only one drug is used, it isn't.

Where manufacturing is not included in the activity, the use tax is applicable. Otherwise the sale tax applies.

Judge Walter B. Jones reversed the commissioner and ruled the tax applied to the bottles used to contain all prescriptions, regardless of the number of ingredients.

The Supreme Court then reversed Judge Jones, restoring the commissioner's earlier ruling.

The druggists now want the single ingredient bottle removed also.

Meanwhile, the interim committee on Finance and Taxation returned to begin drawing up the general appropriations bill.

BUDGET RECOMMENDATIONS

Gov. John Patterson's budget recommendations were scheduled to be received by t hecommittee to guide it.

Patterson has counseled the members to proceed with care in fixing the budget, but not to cut out any services the people need.

One big boost, expected to have the governor's approval, is in old age pensions. The department of pensions and securities had asked for $4 million more than it got last year. The appropriations bill is being considered behind locked doors.

The subcommittee drafting a small loan proposal spent most of Tuesday behnd locked doors. During the afternoon the group met with Director Charles M. Cooper of the Legislative Reference Service.

FINAL DRAFT

Cooper will be called upon to make the final draft of the loan bill after the subcommittee has reached an agreement on what the legislation should contain.

Earlier, and also behind closed doors, the group discussed the proposed reorganization of the small loan division of the State Banking Department. During public hearings recently the lawmakers heard several witnesses sharply condemn the division and its chief, R. M. Rosser.

A subcommittee looking into conservation legislation left for Mobile County Tuesday where it will hold a public hearing Wednesday at Bayou La Batre. Sen. Bert Halton of Lauderdale is chairman of this group.

State Supt. of Education and his assistants appeared before the subcommittee on non-fiscal educational matters in the morning in closed session.

The group is studying revision of the state textbook law.

Stewart and his staff also appeared before the subcommittee on segregation in executive session.

Black Belt Senator Hits Reapportionment

MONTGOMERY, April 21 (UPI) — Sen. L. K. (Snag) Andrews, veteran Black Belt lawmaker, declared today he would fight reapportionment with "whatever it takes."

The Union Springs lawmaker charged reapportionment would "pull up grass rots government."

He said "I'm not going to have it, if I can help it."

The Interim Revision of Laws Committee last week passed 15-10 a reapportionment bill which would cost the Black Belt nine House seats. The proposal will be introduced in the regular session of the Legislature.

"I have always thought the fundamental principal of democracy sprang from the grass roots," Andrews said. "Presently the Legislature is in the hands of the boys from the smaller counties and any reapportionment would be calculated to take the reins of government from the small counties and give them to the large.

"When that's done you pull up the grass roots and you can't pull up the grass and expect to have a green lawn."

Andrews refused to comment on what methods he would use in battling the reapportionment push.

"A general does not have to give a blue print of his battle plan to the enemy," Andrews said.

Andrews' biggest opponent will be Gov. John Patterson who pledged during the gubernatorial campaign last year to reapportion the Legislature for the first time in 58 years.

He said reapportionment, "based on population like the constitution says," would give Jefferson County more than 20 members in the house.

"Nobody wants that, not even Jefferson County," he declared.

The State Constitution requires that the Legislature reapportion itself every 10 years based on population shifts. The constitution was approved in 1901 and not once has the legislative membership apportionment been changed.

Reapportion Vote Urged For Alabama

A legislative subcommittee recommended Thursday that a constitutional amendment be submitted to the voters calling for the reapportionment of the Alabama Legislaure.

As proposed in the subcommittee recommendation, the 106-member House of Representatives would be increased to 120 members while the Senate would be increased from its present membership of 35 to 40.

The proposal had the support of three of the five subcommittee members, thus it constituted a majority report. Favoring the bill were Sen. Bert Haltom of Lauderdale and Reps. Tom Murphy of Mobile and E. K. Hanby of Etowah.

MINORITY REPORT AWAITED

The two subcommittee members in opposition to the plan were Reps. Homer Cornett of Russell and Henry Steagall of Dale. They are expected to submit a minority report later.

The majority report closely resembles a measure offered in 1956 during a special session by former Rep. Robert Hunt of Chambers. Its strongest aruging point is that its ratification would result in more counties gaining seats than losing seats.

In the House, nine counties would lose one member each while 19 other counties would gain representation.

The Senate would be made up of 13 one-county districts while the remaining 27 seats would be divided among the 54 counties on a two-county-per-one-seat basis. No district would be made up of more than two counties. There are now nine senatorial districts of three counties each.

Not surprisingly, the nine counties which would lose House seats are all in the Black Belt. And it has been these counties which have vigorously and successfully opposed every reapportionment measure since the adoption of the constitution in 1901.

Counties losing one House seat would be Bullock, Lowndes, Henry, Perry, Hale, Wilcox, Sumter, Clarke and Dallas.

Counties gaining one House seat would be Blount, Shelby, Macon, Coffee, Escambia, Limestone, Colbert, Covington, Baldwin, DeKalb, Marshall, Houston, Cullman, Madison, Calhoun, Etowah and Tuscaloosa.

Mobile County would gain two seats (from three to five) while Jefferson would pick up four seats (from seven to 11). Montgomery would retain its present four seats.

In the Senate there would be reshuffling of the one-county districts, and the shufling would be from South to North. Four South Alabama counties which now have one senator each would be put in two-county districts, while five North Alabama counties would become one-county districts. There would be an increase in one-county districts from 12 to 13.

LOSING OUT

Losing out would be Lowndes, Marengo, Wilcox and Barbour. They would be replaced by Etowah, Walker, Lauderdale, Morgan and Cullman counties.

Bill On Cumulative Poll Tax Opposed By Women Voters

The League of Women Voters has taken a stand opposing the re-enactment of the cumulative feature of the poll tax.

The stand was one of many pertaining to election laws that was [illegible] Alabama Council of the League of Women Voters which convened this month and was reviewed by the Montgomery league at a general meeting.

Mrs. M. H. Yeoman, Montgomery league president, explained their position at the general meeting.

"A survey which was taken when this cumulative feature was removed in 1953 showed that the segment added to the voting list after the feature's removal was principally white women, both housewife and salaried. If the cumulative feature is re-enacted, not only that segment but also laboring segments could be affected."

Mrs. Yeoman also stated that the leagues plan to take specific action on this measure.

The organization also went on record as supporting the following statewide election law bills: the re-identification of voters, the use of the voting machine and the reduction of residential requirements necessary for voting.

Mrs. Yeoman reported that the Montgomery league, one of the 13 leagues making up the state organization, will attempt to introduce in the legislature eight bills dealing with the "improvement of election laws and enforcement of the same."

Vote Record Law Defined By Gallion

Attorney General, NAACP Head Differ At Rights Hearing

WASHINGTON (AP) — The attorney general of Alabama and the director of the Washington bureau of the National Assn. for the Advancement of Colored People disagreed Friday as to the intent of an Alabama law.

At issue was a law that permits destruction of certain voter registration records.

Atty. Gen. MacDonald Gallion said the law simply permits the destruction of a registration application if the application is denied and if no appeal is filed.

But Clarence Mitchell of the NAACP said the purpose of the law "is to destroy evidence before the federal government gets into the case."

"If they can control who can register," he said, "they don't need to bother about destroying ballots."

SPOKE BEFORE MITCHELL

The divergent views were expressed at a House judiciary subcommittee hearing on civil rights bills. Gallion, who spoke in opposition to the proposals, had completed his testimony and left the hearing room before Mitchell spoke.

Gallion, in response to questions, explained that under Alabama law when a person seeks to register as a voter he must meet certain qualifications and fill out an application form. If he is denied registration, Gallion said, the voter has 30 days in which to appeal to a circuit court. If he does not appeal the attorney general said, the application may be destroyed.

However, he added, he thought it would be to the state's interest to see that the application forms were retained. He said registration lists and ballots are in no way involved in the law.

Mitchell's brief reply was made while introducing three Mississippi Negroes who recounted the difficulties they said Negroes have who seek to register in Mississippi.

The Rev. and Mrs. J. M. Barnes, Hattiesburg, said they have tried to register about four times a year since 1952 and have never been able to do so. Barnes said the circuit clerk never gave him a reason but just said "no" each time.

C. R. Darden of Meridian, president of the Mississippi NAACP, related that just as he was leaving for Washington last Wednesday he learned that earlier in the day a bullet had been fired through a window of the Albert Jones home in Meridian. He said Jones had been "active in registering and voting" and that "this was the third time that this has happened to his home."

NOT NECESSARY

Gallion and his chief assistant, Willard W. Livingston, told the sub-committee that the bills under consideration are not necessary. Such legislation, they said, would cause further deterioration in race relations in the South.

"The people have demonstrated time after time that they simply will not have integration forced down their throats," Gallion said.

Noting that one of the pending measures is an anti-lynching bill, he said there hasn't been a lynching in Alabama in 20 years and that the state has adequate laws that deal with lynching.

"I'm geginning to wonder just who needs enlightenment," Gallion observed.

He conceded there might be some isolated instances of improper denial of voter registration in Alabama but said the instances would apply to Negroes and whites.

He added: "Generally speaking you will find applicants in Alabama are allowed the voting franchise when properly quali-

fied."

'DIVIDING PEOPLE'

Rep. George Huddleston Jr. (D-Ala) told the committee:

"The hue and cry for so-called civil rights legislation. . . is dividing our people as no other issue has in the past 90 years. Not since the days of reconstruction. . . have the people of the South possessed such a feeling."

Declaring that the country is confronted with a threat from overseas and that there is a need for unity among Americans," he said:

"Let's take first things first. Let's recognize the need for national unity in this country against our foreign enemies."

Huddleston said it is sometimes recommended that Americans do certain things because of what the Communist and uncommitted nations might think about us.

"To that I say we will not win World War III on the basis of what Communist Russia and the uncommitted nations think about us," he said. "We will win World War III only on the basis of internal strength, and the unity of our people. . . ."

Reapportion Bill Passes Laws Group

Black Belters Hold Fire For Use Later In Debate On Floor

By BOB INGRAM

The Revision of Laws committee Friday by a vote of 14-10 gave its approval to a new plan for reapportioning the Legislature. It was approved without debate.

But the fact that no fight materialized within the committee meant nothing—it was merely a case of the defense forces holding their fire until they could see the whites of the eyes of the enemy.

Sen. L. K. (Snag) Andrews of Bullock, one of many Black Belters who consider reapportionment a fate worse than death, said his group had agreed to do their fighting on the floor of the Legislature.

"That's where it counts," Andrews said.

And Rep. W. L. (Doc) Martin of Greene, another long-time foe of reapportionment, also had some comment to make.

NO FILIBUSTER?

"Some folks say the House rules won't allow a filibuster," he said. "Let 'em try to pass this reapportionment bill and they'll find out differently."

The vote on the bill was strictly partisan—the 10 opposing votes came from the Black Belt while the 14 approving votes represented a North Alabama-Mobile County coalition.

The lack lustre developments on the reapportionment bill came at the end of a four-hour committee meeting, the final such get-together of the interim committee until next Friday when the written report will be approved.

The biggest fight of the day came over a bill sponsored by the segregation subcommittee which would prohibit the state from giving financial aid to more than one child born to a mother out of wedlock.

'NO CONTROL'

Sen. Andrews, chief sponsor of the measure, declared that "nobody has any control over these women who are in the bastard child profession."

"I've heard them brag about the fact that they were in the profession," he declared. "They are in the business of producing bastard children, on a production line basis, because they know the state will pay them for each child."

Fighting the bill vigorously were Sens. Bert Haltom of Lauderdale and Dennis Porter of Clarke, and Reps. E. K. Hanby of Etowah and George Bailey of Montgomery.

Hanby, quoting scripture, declared that "Christ was crucified for his innocence and now you propose to crucify these innocent children."

Bailey said he felt it was "grossly unfair" to penalize the child.

"It's the parents who are to blame, not the children," Bailey said.

Porter warned that by depriving the child of any assistance, then he or she would probably grow up "and be no better than the parents were."

A move to take no action on the bill failed by a slim 13-12 vote and the bill was then approved by a margin of 13-10.

Also approved by the committee in the long session were:

A bill to allow the governor unlimited authority in closing any school or schools faced with integration; a measure prohibiting write-in votes in a general election; a series of bills relating to highway safety; the Dumas school bill, which permits the creation of independent school districts; a similar bill allowing county school systems to be withdrawn from the state system.

Bitter Fight Brews Against Revamp Bill

Opponents Warn Of Coming Battle On House Floor

BY DONALD F. MARTIN
United Press International

MONTGOMERY, April 19 — Reapportionment, a bitter controversy as old as the state constitution, again looms as a giant obstacle to a harmonius legislative session this year.

The interim laws committee last week stamped its approval, 15-10, on a new reapportionment bill that would cost the Black Belt nine House seats.

Black Belt legislators, who cast all the 10 opposing votes, immediately vowed to fight the measure.

Sen. L. K. (Snag) Andrews of Union Springs, a veteran of many legislative fights, declared "we'll fight it on the floor where it will count."

Another long-time foe of reapportionment warned of the struggle to come.

"Some folks say the House rules won't allow a filibuster. Let them try to pass this reapportionment bill and they'll find out differently," said Rep. W. L. (Doc) Martin of Greene.

Black Belters have killed almost 1000 such reapportionment proposals introduced in the Legislature during the past four decades.

The State Constitution says the Legislature must reapportion itself every 10 years. The Constitution was approved in 1901 and not once has the legislative membership been changed.

The new measure would cost nine counties, all in the Black Belt, one House seat each, and increase the representation of 19 others. The Black Belt would lose because of the population trend to the northern part of the state.

The Senate would be composed of 13 one-county districts while the remaining 37 seats would be divided among the 54 counties on a two-county-per-seat basis.

No district would be made up of more than two counties. At present, there are nine three-county districts.

The committee approved several other laws to strengthen the state's barrier against integration. All were drawn by Andrews' segregation subcommittee.

One, placing a limit on Welfare Department payments to mothers of illegitimate children, would stop payments if the mother had a second illegitimate child. She could have the payments restarted only if she could prove she had ceased having such children.

County May Secede

Another would provide that any county threatened with integration could secede from the state school system. Money used to operate the county's schools would be given to parents of students to be used for private school tuition similar to the GI education plan.

It is similar to another passed by the committe which would permit any city school system to withdraw from the state system if faced with integration.

Both are an attempt to sidestep a recent Virginia Federal Court ruling which held that if any school operated by the state is closed then they all must be.

The committee also approved a measure to authorize the governor to close schools faced with integration. Gov. John Patterson demanded such legislation in his inauguration speech.

Voter Qualifying Measure Passed

Applications To Be Graded By Electronic Device

NEGROES ARE TARGET

By United Press International

MONTGOMERY, Ala., April 17. — The Powerful Interim Revision of Laws Committee Friday approved a measure to set up a system of grading voter applications by electronic machines.

The bill, proposed by avowed segregationist Senator L. K. 'Snag' Andrews of Union Springs, passed 14-5, amid criticism it might eliminate "too many good white voters."

Senator Andrews tersely replied, "It will knock out more of the other situation."

The blackbelt senator, chairman of the subcommittee on Segregation, explained his bill would require the State Supreme Court to prepare several questionnaires each year which would be put on small cards, to be sent to Montgomery to be graded by the electronic machines.

That would protect county boards of registrars from Federal suits, Andrews explained.

'Let Them Sue Machine'

"If the boys from the North come down here and want to sue," he said, "let them sue the machines."

Senator Andrews pointed out having several questionnaires prepared each year would prevent Negroes from "holding classes" and memorizing the answers to the questions.

Boasts Negro Vote Beat 2 In Montgomery

TUSKEGEE, Ala. (AP) — A Negro college professor says a solid Negro vote was instrumental in unseating two members of the Montgomery City Commission.

J. E. Pierce, professor of political science at the State College for Negroes in Montgomery, told the Tuskegee Civil Assn. Sunday he attributed the downfall partly to "the solidity of the Negro vote."

He said there was a split among white voters.

Pierce said Negroes voted against incumbent city commissioners in the Democratic primary March 16 and the runoff a week later because "we didn't feel we were given justice" during the long bus boycott and other racial matters.

The college professor also said many white voters felt resentful toward city officials because of a city sales tax put on in 1957.

He exprsessed belief, too that the Citizens Council membership split over the fact that one man tried to dictate which way to go." He referred to Council President Bruce Wyatt, who urged white voters to unite in a bloc vote in the runoff and support Mayor W. A. Gayle.

Just 37 Others

A recent survey of voting among Negro teachers working in the Birmingham Public Schools reveals that all but 37 of them have registered as voters. The Birmingham Negro Teachers Association made the check which shows that there are 991 Negro teachers in this system who have added their names to the voter-registration list.

The BNTA has worked quietly and effectively to get all teachers employed in those schools which serve Negro children to become the inspiring example of citizenship functioning at its best. A commendable job has been done. Yet by the 37 non-voter teachers getting their names on the registration roster the BNTA delegation could represent an association that had all of its members listed as registered voters.

It would mean more than words can carry for the Birmingham Public School teachers to go to the spring convention of the Alabama State Teachers Association 100 per cent in the voter-registration column. This would mean more than anything else in placing the name of Mrs. Bessie S. Estell before the delegate assembly for re-election as president. It would symbolize the civic-mindedness of the BNTA which has made tremendous leadership contributions to the ASTA.

Meantime Prof. Henry J. Williams, BNTA president, is the chairman of the ASTA vote commission. It would give him a boost to report that as leader of the Birmingham Negro Teachers Association he had shown what could be done. Unless we back up our leaders fully they will lack full strength to work fruitfully for us.

Let us keep Birmingham ahead in all of the honorable pursuits of life. Birmingham must be more than Alabama's largest city; it must be the state's leading city. We do not believe those 37 teachers who were not registered at the time the BNTA voter-registration survey was made are going to stand in the way of our Birmingham teachers being totally registered as voters.

In the name of civic dignity we urge those 37 non-voter teachers to remove their names from the list of second-class citizens. We do not believe that public opinion in Birmingham would tolerate any teacher being refused as a voter. No teacher, then, should fail to apply for voter-registration.

Just 37 others, you see, stand in the way of our Birmingham Negro teachers being on the civic honor roll of those divisions of the school systems which have all their teachers on the poll list. The BNTA deserves a big hand in the fine showing made. It would be interesting to see our Negro teachers in the Jefferson County Public Schools stand as registered voters. It is not likely that the Jeffco teachers rate as highly.

Subcommittee Approves Bills On State Voting, Registration

Two more bills relating to voting and registration were approved Friday by a subcommittee studying segregation and voting.

Sen. L. B. (Snag) Andrews of Bullock County said the group will recommend that absentee voting, except by servicemen or hospitalized, be repealed.

He said a bill to require courts to report all convictions to the Board of Registrars in the county where the convicted person lives.

Earlier this week, the group endorsed a suggestion by Sen. Andrews that future grading of voting registration questionnaires be by electronic machine.

The subcommittee also journed to Virginia to view that state's situation on segregation.

Andrews said the trip was taken to find "how Virginia fell into the trap of having to integrate the schools and I found out."

He said the flaw was in the state's Constitution which required public schools.

Andrews said Alabama does not have this particular problem, since its Constitution does not contain this requirement.

Meanwhile, an interim law subcommittee continued writing new small loan law.

It has been working on the thorny problem of rates and interest, the heart of the bill.

One member of the subcommittee said the groups expects to complete the bill by next Wednesday or Thursday.

Civil Rights Unit Rejects Demand For Affidavits

The Civil Rights Commission has decided to reject a demand by an attorney for a Louisiana vote registrar for copies of four affidavits filed with the commission by Negroes who claim deprivation of voting rights.

The attorney, W. M. Shaw of Homer, Claiborne County, La., said he was pressing perjury charges against those who swore to the affidavits. The affidavits involved the jurisdiction of Mrs. Lannie Linton.

In a letter to the commission, Mr. Shaw implied that unless the copies were forwarded to him for presentation to a grand jury, he would bring charges against commission investigators of being accessories after the fact of perjury.

The commissions' rejection was announced yesterday.

Voter bills would retard race mixing

MONTGOMERY, Ala., March 26—(AP)—A legislative subcommittee which has been studying voter registration and racial problems today agreed to recommend eight proposed bills to strengthen Alabama's segregation laws.

They are to be submitted at a meeting of the interim revision of law's committee Friday.

The measures had been discussed previously by the Legislature's segregation screening committee and if approved by the parent committee Friday they will be recommended to the regular session of the Legislature beginning in May.

PROPOSED new laws approved by the subcommittee were:

1. Abolish absentee voting except for military personnel on active duty along with their wives and veterans in veterans hosspitals.

2. Strengthen the present law which prohibits sale of votes by adding a penalty provision making violations punishable as a felony.

3. Extend the present law requiring court clerks to furnish information on convictions to boards of registrars in the county where the defendant lives to include justice of peace courts.

4. Submit a proposed constitutional amendment to the voters to re-enact the state's former accumulative poll tax. This was done away with by an amendment ratified by the voters in 1951.

5. PROVIDE A PENALTY on county officials for failure to provide separate poll lists for each box in state and county elections.

6. Require intelligence tests for voter applicants to be graded by electronic machines with no record of the race on the answer sheets.

of voters on a statewide basis beginning in 1960 and every 10 years thereafter. Counties which have purged their voter lists in recent years would be exempt next year.

8. Change the present law on preparation of voter lists to require probate judges to prepare lists only once every two years. Now they receive compensation for furnishing poll lists for every election.

SEN. W. C. HINES of Chambers County, sponsor of the voting list measure, estimates that it would save taxpayers more than $100,000 a year.

Under the present law probate judges are paid 5 cents a name for providing voting lists. They also are given another two and a half cents per name to employ someone else to do the work.

The proposed new statute would not change the amount of the fee. Probate judges are directed to provide supplemental voter lists to bring their old lists up to date for each election between the times they prepare a full list.

MORE THAN ONE-THIRD

Alabama Leads Nation In Voting Complaints

WASHINGTON (AP)—More than one-third of the voting complaints filed with the Commission on Civil Rights have come from Alabama, a House Appropriations subcommittee was told in testimony released Sunday.

Commission spokesmen informed the subcommittee that since its founding in the fall of 1957 and through last April 30, it received 310 voting complaints, including 119 from Alabama.

Commission spokesmen praised the voting situation in some sections of the South and criticized it in others.

The commission said it has received 922 complaints, including 310 dealing with voting and 114 which were illegible, anonymous or abusive.

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DURING HEARINGS before the subcommittee in early May, made public Sunday, chairman John Rooney (D-NY) observed that he was impressed by the small number of complaints.

"We attach great significance," replied Gordon Tiffany, commission staff director, "to the denial of the right to vote in any single instance."

Tiffany said the commission believes "the numbers are shocking."

"This number has been able to come forward and to state in solid terms the precise nature of the denial of the right to vote in a particular community."

Commission Chairman John Hannah commented that there are many factors that prevent people from filing complaints. One, he said, is lack of knowledge of how to file complaints and another is the fear of reprisals.

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Hannah told about the commission's hearings in Montgomery, Ala., last December, when some 37 complaintants testified.

"If there was any question as to what was happening in these counties of Alabama, at least, it appeared that they were being deprived of the right to register because they were Negroes," he said.

The examination of the facts, Hannah said, "indicated that in these counties where there were thousands of Negroes of voting age a very small number of them were registered in some counties and in others, none of them were permitted to register."

Hannah said the commission's information indicates that the situation is not very different in some other areas of the South. But, he added, "It must be said that in many areas there is no difficulty at all with Negroes voting."

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IN ATLANTA, HANNAH said 3 Negroes were encouraged to vote. He said he was pleased with the housing area there. "There is a better opportunity provided for middle-class and high-class housing for at least some of these Negroes than in many cities in my part of the country," he said. He lives in Michigan.

Hannah said that most civil rights complaints in the South deal with voting while in the North they are largely concerned with housing.

It is his impression, Hannah said, that the voting situation in Georgia "is pretty good and getting much better."

"Georgia is one of the most progressive states in the union, and one of the most liberal states in the union," said Rep. Prince Preston (D-Ga.).

Hannah replied: "I believe that is right."

The commission representatives were before the subcommittee in support of an appropriation request of $288,000 to carry the commission until Nov. 8. Hannah said that if legislation is passed to extend the commission for a longer period, it would request a supplemental appropriation of $500,000 for the remainder of the fiscal year.

★ ★ ★

HANNAH SAID that, from the standpoint of the good for the country, he thought the commission should be continued.

From a personal standpoint, however, he said his answer would be "no." That is, he explained, "if it means that we are going to have to be involved for a long period of time, because this is an onerous task and it is not a task that anyone seeks." He referred to a newspaper poll which indicated that present commission members did not want to serve longer.

"I think that the climate in which we can discuss civil rights is much better today, because of some of the contributions the commission has made than would be the case if it was not for this commission," he said.

Here is the breakdown of the voting complaints by states filed with the commission through last April 30:

Alabama 119; Arkansas 6; Florida 14; Georgia 1; Illinois 2; Indiana 2; Kansas 1; Kentucky 1; Louisiana 95; Maryland 1; Massachusetts 1; Mississippi 41; Missouri 2; Nebraska 1; New Jersey 1; New York 1; North Carolina 2; Oklahoma 1; Pennsylvania 2; South Carolina 3; Tennessee 7; Texas 1; Virginia 2; West Virginia 1 and Wisconsin 2.

Committee OKs Bills Abolishing Absentee Voting

One Measure To Bypass Servicemen

By HERSCHEL CRIBB

Two bills to abolish absentee voting in Alabama were approved Wednesday by a Senate committee.

One bill approved by the Committee on Privileges and Elections would abolish the absentee vote outright. The other would permit only servicemen to cast such a ballot.

TURNER

The bill with the latter proviso was voted out after its sponsor Sen. L. K. (Snag) Andrews of Bullock, said the American Legion asked for it.

Sen. Alton Turner of Crenshaw introduced the first bill. He said he favors outright abolition but might go along with the other.

Turner and a couple of other committee members had disabled veterans in Veteran's Hospitals deleted as being entitled to vote absentee.

Turner said a veteran should have no more preference than a civilian who is sick in the hospital.

MOSES

He said "letting in one exception will open the door to a lot more."

Under present law, any qualified voter who must be absent from home on business on election day can cast an absentee ballot in person not more than 20 nor less than five days before election day.

Only members of the Armed Services can now vote by mail.

The committee also approved a law making it a crime to pay another's poll tax. Blood relatives and certain in-laws are exempted from the act.

HARD LABOR

Violation of the law could be punished by 90 days hard labor.

At present, paying another's poll tax is a crime only if it was done "to influence his vote."

This is accounted bribery. Punishment is one to five years in prison.

An attempt to eliminate write-in voting was passed for further study.

Sen. Andrews backed this measure because, he said, Negroes could "get together in the future."

Two other committee members, Sen. Hugh Moses of Marion and Sen. Larry Dumas of Jefferson, opposed eliminating it.

Moses said "there may come a time when you will need the write-ins." He said it was "dangerous to bar it."

The whole discussion was pegged on the racial issue.

The committee studied a re-identification law presented by Mrs. Martha Smith, member of the Board of Registrars in Madison County. It would require re-identification of voters every 10 years and compel registrars to keep an up-to-date list of voters.

BILL INCLUDED

Any person found ineligible could be dropped immediately under the law.

Sen. Andrews said he will introduce this bill instead of one of his own on Friday.

Others reported out favorably by the committee included bills to:

1. Make it a felony to buy or offer to buy a vote.

2. Remove the penalty for selling a vote. This is to induce persons to testify in vote buying cases.

3. Require county grand juries to check at least 10 per cent of the machines or poll boxes in special, primary and general elections.

Justice Dept. Lays Charge Against Macon Registrars

By DONALD E. MARTIN

MONTGOMERY, Ala. (UPI)—The Justice Department told a federal judge Monday two county registrars resigned their posts as a "transparent device" to circumvent U. S. civil rights action against denial of Negro voting rights.

The defense, headed by Alabama's attorney general, countered with a motion to quash the suit.

The action was the second legal suit brought under the 1957 Civil Rights Act, the same act which created the controversial Civil Rights Commission. It seeks an injunction against refusal of Macon County, Ala., to register 20 Negroes as qualified voters.

CHARGE USE OF DEVIOUS MEANS

Macon is the site of famed Tuskegee Institute, and the Negroes include college personnel and graduates. The Justice Department's civil rights division charged that they were denied the right to register by devious means.

U.S. Judge Frank M. Johnson took under advisement the motion to dismiss the suit.

At the same time, Johnson set a hearing March 5 on a motion to amend the suit to make the state of Alabama a party to the action.

Alabama Atty. Gen. McDonald Gallion argued the suit should be dismissed on grounds the complaint cannot be enforced through the Civil Rights Act of 1957 and that both Rogers and Livingston have resigned their positions as registrars.

CALLS CASE PREPOSTEROUS

"This case is completely preposterous," Gallion argued.

He said under Alabama law a board of registrars is not nor can it be construed as a person or individual and thus the federal government cannot proceed with its suit under the Civil Rights Act.

He said Rogers and Livingston resigned in "good faith" weeks before the suit was served. Rogers has been elected to the state House of Representatives and Livingston has been appointed to the jury commission in Macon County.

Under Alabama"s Constitution, Gallion said, no man can hold two paid public offices and therefore the new posts of Rogers and Livingston pre-empt them for serving as registrars.

Ryan countered with the argument the Civil Rights Act did not specifically define person or individual and the legislative intent of the act, as evidence by discussions in the Senate Judiciary Committee, indicate a board of registrars is a "suable entity."

HITS RESIGNATIONS

Ryan contended Rogers and Livingston had no right to resign until their successors were appointed because "voter registration is an indispensable perequisite." He charged the two men utilized the "transparent device of hasty resignation to frustrate federal rights."

He said Alabama law indicates registrars cannot resign until their successors have been named and that this procedure must be maintained "for continuity sake. Someone has to turn records over to someone else and Rogers and Livingston have not fulfilled their obligation."

The original suit complains that in Macon County white registered voters number 3,016 out of approximately 3,100 or approximately 97 per cent. The suit claims only 1,110 Negroes out of approximately 14,000 are registered or 8 per cent.

Gallion To Testify Against Civil Rights Bills In Washington

Speaking this week before the Alabama Supper Club in Washington, MacDonald Gallion, state Attorney General, said if the state is forced to decide betwen maintaining their segregated schools, or to integrate it will choose to end its public school system. He added that Negroes will suffer from such action far more than whites.

Gallion, who will go to New Orleans May 1 to argue the state's side of the Macon County voting rights case, said he thinks the Justice Department "seems more anxious to knock down remaining state's rights than to help us improve our race relations in Alabama." He plans to return to Washington later this month to testify before the House judiciary committee in opposition to pending civil rights bills.

Alabama's governor, John Patterson, has also announced that he will join other governors from the South to present a solid front before congressional committees against new civil rights bills.

FEDERAL APPEAL

Review Of Macon Case Postponed Until May 1

The hearing of the federal government's appeal in the Macon County voting rights case has been moved to May 1 from April 27, Alabama Atty. Gen. MacDonald Gallion said Monday.

The appeal will be heard in the U.S. Fifth Circuit Court of Appeals in New Orleans.

The U.S. Dept. of Justice is seeking to overturn a recent ruling by U.S. District Judge Frank M. Johnson Jr., in Montgomery.

Johnson threw out the federal government's suit for an injunction against two resigned Macon County registrars and the State of Alabama.

He ruled the Civil Rights Act of 1957 applied against individuals only.

The appeal will precede the annual meeting of the National Assn. of Attorney Generals in New Orleans by two days.

Gallion will attend the legal gathering following the appeal hearing.

He said he will suggest a new method to Southern state attorneys general for handling reports on civil rights suits in their jurisdiction.

He will suggest that the legal department of each state automatically forward copies of briefs, pleadings and decisions in all civil right cases to their sister Southern states.

This will enable each state's legal department to keep abreast of developments in the field without waiting for law journal reports.

At present, the attorneys general send each other such reports only upon specific request.

State Moves To Clear Six In Vote Case

ANDALUSIA — Circuit Solicitor Joe Breck Gantt said Wednesday he will seek dismissal of 11 indictments against six persons charged with election law violations.

In a prepared statement Gantt said the decision to abandon prosecution of the cases, among 66 indictments against 16 persons, resulted from "a careful and more detailed study of the law and facts of particular cases."

He described the six cases as "not adequately supported by legal evidence" or "purely technical in nature—without criminal intent."

NO OTHER CHARGES

Among the cases which will not be prosecuted was that of Abner R. Powell Jr., Covington County register in chancery.

Powell was indicted on a charge of unlawful aid to absentee voters. There remain no other charges against him. But the other five persons still face from one to five additional charges of election law violations in last year's Democratic primary.

Attorneys for Powell, register for the past 21 years, issued a statement in connection with Gantt's action. The attorneys said:

"The solicitor's action in seeking a dismissal of the indictment against Mr. Powell is a complete vindication and an admission that there was no evidence before the grand jury which would support any charges against him. His attorneys are pleased to know that the solicitor now agrees with the other lawyers of this county that the charge was completely unfounded and should never have been preferred.

"Regardless of the solicitor's action in now seeking a dismissal of the indictment against Mr. Powell, Mr. Powell has been subjected to much unfavorable publicity in this matter, which no action by the solicitor can erase.

"It is regrettable that the solicitor did not acquaint himself with the law prior to the time he superintended the grand jury proceedings which resulted in this indictment."

Powell's attorneys are William Hamilton, Albrittons and Rankin, Tripler and Fuller, Ed Brodgden and W. H. Baldwin. After the indictment, 22 attorneys in Andalusia, Opp and Florala signed a resolution expressing full faith and confidence in the register.

OTHER CASES

The other persons and charges which will not be prosecuted are: Thad Gomillion, Brooks community, two cases, vote buying and unlawful aid to absentee voters; Short Craig, Red Level, one case of vote selling; Ned Brannon, Opp, two cases, deceiving voters and procuring fraudulent votes; Marvin Short, Opp, two cases, unlawful presence in polling place and procuring fraudulent vote return, and Robert Berry, Andalusia, three cases of procuring fraudulent votes.

Gomillion, timberman and political figure, still faces five charges of election law violations. Short and Brannon, Opp loan company operators, face eight and four more charges, respectively. Berry and Craig face one charge each.

Nine other persons also are scheduled for trial.

One of the 16 persons indicted has not been arrested.

Trials of the accused persons are expected to be held during the fall term of circuit court.

Gantt said in his statement: "When I ran for this office I stated I believed the innocent must be as zealously protected as the guilty are zealously prosecuted. This will remain my firm conviction."

"My great disappointment in this investigation has been the refusal of Judge Enzor (Probate Judge Leland Enzor) to cooperate with the grand jury by withholding evidence," Gantt said.

He referred to Enzor's refusal before the grand jury to answer a question about a reported bride attempt of an election official. Enzor was convicted of contempt of court and an appeal is pending before the state supreme court.

No 'Write-Ins' Seen As City Voters Ballot

By GENE KOVARIK
Journal Staff Writer

There were no indications of write-in votes this morning as Montgomery voters turned out in small numbers today in the city's general election.

Rumors were heard yesterday that the Negroes would turn out en masse in a concentrated effort to elect the Rev. Martin Luther King mayor by write-in vote.

However, a spot check at the various polling places in the city this morning showed that Negroes did not stay in the election booths long enough to complete the write-in procedures.

But, most political observers feel if the Negroes will attempt this unorthodox way to elect a Negro commissioner, they will wait until the afternoon hours to forestall a counter effort by white voters.

HEAVIER VOTE SEEN

Despite the light early morning turnout of voters, heavier voting is forecast for this afternoon.

The rumor concerning Negro write-in votes may have achieved greater participation in today's general election than was at first anticipated.

One white man commented he would not have voted today had he not heard the rumor about the movment to write King's name on the ballot.

Early this morning voting officials opened the backs of the machines at two precincts at 9 a.m. and not a single write-in vote had been cast.

The machines were at the Cleveland avenue and McDonough street precincts. They were opened, officials said, to explain a function of the machine to poll workers.

GENERALLY A FORMALITY

The three Democratic candidates nominated in March primaries are unopposed in today's election. As a rule, the general election is merely a formality.

The vote as expected was light.

Candidates are L. B. Sullivan and Earl James, who defeated incumbents Clyde C. Sellers and W. A. Gayle and Frank W. Parks, who won renomination.

Yesterday, Asst. Chief of Police Marvin Stanley said he received a tip from an unidentified person whom he quoted as saying that Negroes met in all of their churches here in a move to write in King's name.

Both King and Fred Gray, Negro attorney who often represents Negro integration leaders in legal matters, denied that they had any knowledge of the plan.

All three Democratic nominees said they had received tips in the last several days that there would be a large Negro write-in vote.

About 5,000 votes were cast in the general election four years ago when Gayle, Parks, and Sellers were elected.

Barring unforeseen developments James will take office as mayor and Parks and Sullivan as commissioners Oct. 1.

The polls opened at 8 a.m. and will close at 6 p.m.

League Finds White Voters Far In Lead

A survey of voter registration in Montgomery County since the repeal of the cumulative poll tax amendment in 1953 shows that the number of new white voters far outnumbers new Negro voters.

The comprehensive registration study was made by the Montgomery League of Women Voters in an effort to show that the restoration of the cumulative poll tax would work a greater hardship on white women that Negro voters.

Specifically, new white registrants in the county have outnumbered Negro registrants by a margin of approximately eight to one.

MOSTLY WHITES

The survey showed that during a four and one-half year period from November, 1953 through May, 1958, there has been 11,649 new registrations in the county.

Of this total 10,343 were whites, only 1,306 were Negroes. And of the new white voters, roughly 60 per cent were women—6,158 to be exact.

The league, in a statement issued in conjunction with the release of the local survey, insisted it was not its purpose "to argue the pros and cons of Negro registration as such."

"Our study indicates that the group most to be penalized would be white women voters," the league statement said.

'DISPEL MYTH'

The league said that it felt the results of the survey would "dispell the myth that Negro voter registration in our county is 'approaching the danger point'."

A measure has already been introduced in the Legislature (Senate Bill 51) under the sponsorship of Sen. L. K. Andrews of Bullock which would restore the cumulative feature of the poll tax.

At the present time the maximum poll tax collectable is $3, but under the Andrews bill the tax of $1.50 a year could accumulate to as much as $36.

The League of Women Voters is vigorously opposing the plan throughout the state.

On legislative front—

Committee approves three bills on absentee voting

MONTGOMERY, Ala., May 14—A legislative committee has approved alternate bills to do away with absentee voting, one to abolish it completely and the other to limit it to servicemen stationed outside Alabama.

The measures recommended by the Senate privileges and elections committee yesterday would replace present law requiring persons to vote between five and 20 days ahead of time if their business will keep them away from home on election day. Only armed forces personnel can vote by mail.

ANOTHER RECOMMENDED bill would prohibit paying someone else's poll tax or giving money for that purpose to anyone except family members. Current law only forbids paying another's tax to influence his vote.

The committee also approved a measure to require grand juries to spot check at least 10 per cent of the vote boxes after each election.

Action was postponed on bills to abolish write-in votes in general elections and to require a state re-identification of all voters.

MEANWHILE, the House ways and means committee has given top priority to the $74 million general appropriation bill, hoping to shove it past a threatened Black Belt blockade.

The powerful 16-member committee got right down to work on the big money bill yesterday, heeding Gov. John Patterson's call for speedy passage of the measure to finance the state's non-educational functions during the next two fiscal years.

Patterson wants quick enactment of the general appropriation bill to give more time for his separate school budget—asking a $42 million annual increase—and his proposed new taxes to finance the larger education outlay.

BLACK BELT legislators are angry about the governor's tax program and his demands for legislative reapportionment. They hope to strengthen their hand in these issues by delaying passage of the general appropriation bill on the House and Senate floor.

Ignoring the Black Belt threats, the House ways and means committee resumed work on the money measure today, hearing from department heads who had asked a chance to testify on behalf of their budget requests.

STATE AGENCIES scheduled to be heard from were Veteran Affairs, Archives and History, state treasurer, Public Service Commission, Nurses Commission, agriculture, secretary of state and attorney general.

Atty. Gen. MacDonald Gallion has asked for a $150,000 annual budget hike to take care of increased costs of civil rights cases, both in the defense and investigative stages. But the governor hasn't backed him in the request.

OTHER COMMITTEES meeting today are the House local government committee and the Senate committees on finance and rules.

The House ways and means committee spent yesterday's first meeting of the 1959 session hearing comment from House colleagues on the general appropriation bill.

House Speaker Charles C. Adams of Tallapoosa, asking a slight budget increase for the legislative reference service, headed a parade of lawmakers almost unanimously wanting more money for one department or another.

JOINING IN REQUESTS for an increased Agriculture Dept. appropriation were Reps. Emory Solomon of Henry, Charles H. Adams of Houston and McDowell Lee of Barbour. Rep. Roland Faulk of Geneva said the Public Library Service needs more money to buy books.

A new incentive plan to foster local scchool financing through a local-state matching basis was also proposed by Lee.

He said each county could set aside two mills of its property tax for school construction, with the state putting up $400 per teacher unit on a 50-50 matching basis. It would cost the state and the counties about $5 million a year each, he estimated.

CHAMBERS COUNTY Rep. Charles Reynolds, seeking to restore an annual $100,000 reduction in the state Pardon-Parole Board budget, came up with a proposal to put a $100 tax on each quickie divorce.

Under his plan, probate judges would charge a $100 fee to be paid by any prospective divorcee who signs an affadavit that he or she has lived in the state for six months and intends to become a resident.

"Since divorces are going to be granted," Reynolds said in behalf of the proposed tax, "we should take advantage of those who want to come to Alabama from other states to get them."

Reynolds said the quickies divorce tax would more than pay for restoring the $100,000 cut from the Pardon-Parole Board appropriation for each of the next two fiscal years.

A bill is also pending to abolish quickie divorces. It would require proof of at least a year's residence in Alabama, whereas out-of-state couples now come into the state and obtain divorces in a matter of hours.

After new Rights action—

Vote law changes possible during this special session

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., Feb. 7—Justice Department efforts to obtain a permanent injunction against Macon County registrars has focused attention anew on bills recently introduced strengthening Alabama registration laws.

Furthermore, the government action, some legislators believe, could mean introduction of additional legislation originally planned for the regular session.

This could mean the present special session may be in action much longer than originally planned.

Just before Rep. Grady Rogers, former Macon registrar was served with the Justice Department's complaint, Sen. Lawrence K. Andrews, Rogers attorney announced he had changed his plans concerning introduction of important registration measures.

Because he said he did not want Civil Rights agents to know in advance what his bills would propose, Sen. Andrews said he would wait until the regular session.

If introduced during the present session and the Legislature adjourned without acting on them, he made it clear, Civil Rights representatives could obtain copies and plan counter attacks.

But after reading the Justice Department's formal complaint against Rogers and E. P. Livingston, Andrews indicated he might have to change his plans again.

As briefly outlined, Andrews' bills would establish an entirely new system of examination of voter registration applicants.

Applicants would be graded by an electronic device. His bills also would amend the constitution to make parents of illegitimate children ineligible to become voters. The constitution. Andrews said already bars from voting privileges persons living in adultery.

Although it is known that Gov. John Patterson would like to see the Legislature wind up the special session in short order after passing his $60 million bond amendment, legislators believe he would be willing to have the session continued if emergency registration legislation is needed.

JUST WHAT are the bills already introduced relating to strengthening the registration law?

One measure, making it permissible for registrars to destroy records of applicant rejections after 30 days will be on the Senate calendar Wednesday.

That measure is identical to a bill passed on the last day of the 1957 regular session and pocket vetoed by Gov. Folsom.

PROBABLY the strongest bill introduced thus far is one by Conecuh Sen. Bob Kendall.

For one thing, the bill makes it mandatory for the Supreme Court to prepare at least one new questionnaire a year. The bill also would authorize the high court to make any changes in the questionnaire at any time.

All registration applicants would be required to answer each question in the questionnaire in writing.

Sec. 3 of the bill carries provisions intended to safeguard the secrecy of the questionnaire and to prevent outsiders from obtaining copies of the questionnaire and instructing applicants as to how the questions should be answered.

The section provides as follows:

"In addition to the oath required by Amendment XCI to the Constitution of 1901 to be signed and sworn to by each applicant, there shall also be printed on each questionnaire another oath which shall also be signed and sworn to by the applicant pledging that he had never given nor received the questionnaire prior to the time it was given him by the Board of Registrars, nor been told or otherwise gained knowledge of content of such questionnaire.

"No applicant for registration who fails to sign such pledge shall be registered."

The bill also seeks to crack down against those who make known the questions and answers in advance to voter applicants.

SEC .4 SPECIFIES:

"Any person who furnished a copy of a currently prescribed questionnaire to an applicant . . . or who otherwise makes known to an applicant the content of such questionnaire shall be guilty of a felony and upon conviction shall be imprisoned in the penitentiary not less than one nor more than five years and may be fined not more than $1000."

ACCORDING TO SURVEY IN ALABAMA

Qualified Negroes Are Registered

BIRMINGHAM (AP) — Qualified Negroes have been registered without prejudice in most Alabama counties, The Birmingham News reported in a copyrighted story today.

The story, first in a series on voter registration, said there is no discrimination in 59 of the state's 67 counties.

Voter registration boards are not functioning in Macon and Bulock counties.

The News said that in six others its newsmen were not satisfied that there was no discrimination It named Lowndes, Chilton, Perry, Bibb, Hale and Wilcox counties in the latter group.

Not only did Negroes generally receive the same consideration as white registrants, the story noted, but registrars in several counties "were more than patient with them."

Registrars indicated that while white applicants seldom return if they fail to pass a written examination of 21 questions, Negroes who fail the first time take it again and again often on consecutive days.

And in many instances, the News said, Negroes are accepted after failing in several attempts to pass the test.

Registrars in most counties reported that no oral examination is given—only the required written questionnaire.

Registrars report that many Negroes seem to be carefuly rehearsed before coming in for the test, the story added, with many giving the answers as though they were memorized.

State law permits an appeal to the courts by anyone failing to pass the questionnaire but registrars in virtualy every county were reported as saying no such appeal has been made in the past five years.

The story also noted that there are now more than 70,000 Negro voters in the state—an increase of more than 10 per cent over the number registered prior to the 1958 Democratic primary.

Macon County Case Has Serious Meanina

BY JAMES FREE
Washington Correspondent
The Birmingham News
WASHINGTON

THE JUSTICE DEPARTMENT is well aware that it has a tough fight on its hands in its upcoming suit against the Macon County Board of Registrars.

One reason is that this is a vital test case. In it, the department wants to establish beyond question a way of getting around the problem of dealing with local boards that are vacated through resignation.

It has been clear from developments in Little Rock, in Alabama and elsewhere, that this specific barrier to federal court action can be expected many times in the future. Justice Department attorneys recognize it as a formidable obstacle, but those in charge decided that it should be attacked at the earliest opportunity.

The Application Will Be To Schools Also

VICTORY FOR THE DEPARTMENT will smooth its future legal course not only in alleged voting discrimination cases, but in school desegregation cases as well.

Key to the government case is its claim that the Alabama registrars do not terminate their responsibility by resignation until their successors are qualified.

In a brief prepared but not used in the Montgomery federal court case growing out of the Civil Rights Commiss hearings in December, the departr

quotes Title 17, Section 22 of the Alabama Code in support of this position. That section states:

One Part Of Code Is Specifically Quoted

"THE REGISTRARS SO appointed under this article may be removed at the will of the appointing board, or a majority of the members thereof, at any time, with or without cause, with or without giving their reasons therefor; and if not so removed, the registrars may hold office for four years from the time of their appointments *and until their successors are appointed.*" (Emphasis added.)

And the brief continued that "in previous cases where officials have attempted to avoid the responsibilities of their offices by resignation, the courts have held that resignation does not terminate the duties of an official where the applicable statute specifies that he remains in his office until his successor is appointed or qualified."

It cites "Badger vs. United States, 93 U. S. 599," where an Illonois statute provided that an officer held his office until his successor had taken an oath and was qualified. Officers in this case were county auditors who resigned; no new auditors were appointed, and "a creditor was left without any recourse for the payment of his debt."

The court, according to the brief, held that the auditors' resignation did not terminate their responsibilities. It said (at 93 U. S. at 604):

"So we think, where a person being in an office seeks to prevent the performance of its duties to a creditor of the town, by a hasty resignation, he must see that he resigns not only 'de facto', but 'de jure'; that he resigns his office not only, but that a successor is appointed. An attempt to create a vacancy at a time when such action is fatal to the creditor will not be helped out by the aid of the courts."

A similar holding is claimed in U. S. vs. Justices of Lauderdale, 10 Fed. 460, "where justices of the peace resigned to avoid a court order requiring them to levy taxes." The court held, according to the brief, that the justices of the peace were responsible to perform their duties 'until their successors were appointed.' The justices were held in contempt but penalty was suspended and they were given another chance to comply with the mandamus.

Not All Justice Men Are Optimistic About It

NOT BEING AN ATTORNEY, this reporter has no notion of how well these legal precedents will stand up in court. Reliable reports have it that not all the Justice Department's attorneys are equally optimistic about this point.

In any case, this is the kind of ammunition that the department is packing in the cannon to fire in the Middle District of Alabama if and when the Macon County case comes up. And the outcome will be of concern not only to thousands of local and county officials and attorneys, but to hundreds of thousands of other citizens as well.

U. S. now seeks Dallas, Wilcox vote records

MONTGOMERY, Ala., Feb. 7—(AP)—A battle between federal and state authorities over voter registration practices has spread into two more Alabama counties—Dallas and Wilcox.

While the U. S. Civil Rights Commission had declined to say what further investigations will be made into Negro voting complaints in Alabama, a request has been received now for the Dallas and Wilcox County records.

Circuit Solicitor Blanchard L. McLeod confirmed from his office at Camden that a letter dated Feb. 3 was received from A. H. Rosenfeld, director of the commission's division of complaints, asking to see the records.

Juries to get Letter

THE LETTER was addressed to Circuit Judge James A. Hare whose circuit includes Dallas, Wilcox and three other Black Belt counties where Negroes predominate over whites. He had previously turned the records over to Grand Juries.

Hare's court will be in session next week in Perry County for a Grand Jury and civil court session.

McLeod said the matter of Rosenfeld's request probably will be turned over to the Grand Juries in the two counties.

He declined to speculate on whether the two state investigating bodies will choose to release the records to federal agents.

U. S. suit filed

THE REQUEST for the Wilcox and Dallas voter records came on the heels of a suit filed in U. S. District Court here Friday against two former registration officials in nearby Macon County where Negroes outnumber whites by more than six to one.

The suit brought by the Justice Department against E. P. Livingston and State Rep. Grady Rogers, ex-members of the Macon County Board of Registrars, charges they denied "qualified" Negroes the right to vote.

District Judge Frank M. Johnson Jr. was asked to stop further discrimination against Negroes because of their race or color.

Terrible Wilcox and Dallas

Ala. 'Hell' Counties Facing Rights Probe

By TREZZVANT ANDERSON
(Courier Roving Reporter)

MONTGOMERY, Ala.—The U. S. Civil Rights Commission has asked for the voting records of Wilcox County, Ala., described in 1957 as the "hell hole" of America," a place where Negro citizens have long lived in an atmosphere of terror and intimidation, with a possibility of peonage.

At the same time, the commission's chief investigator, Col. A. H. Rosenfeld, requested to see the records of neighboring Dallas County, from which six prominent Negro citizens appeared to testify before the commission at its hearing here on Dec. 9, 1958.

NEGROES outnumber whites in both Wilcox and Dallas counties, but have not been registered at all in Wilcox County. Circuit Judge James A. Hare, in charge of the circuit embracing Wilcox, Dallas and three other counties, has reportedly turned over the record to grand juries.

ACTION OF the Civil Rights Commission in seeking to study things in the two counties, followed filing of a suit last week against registrars in Macon County (Tuskegee) to enjoin them from discriminating in the registration of Negroes to vote. Lowndes County, which adjoins Wilcox and also Montgomery County, is another county in which Negroes have not been registered in any appreciable degree.

Among Dallas County Negroes testifying before the commission were Mr. and Mrs. S. W. Boynton, civic, fraternal and business leaders; Dr. Sullivan Jackson, Mrs. Jennie V. Anderson, businesswoman; Prof. Frank D. Gordon, 77-year-old school teacher, and Mrs. Ruth K. Lindsey, ladies' tailor and grandmother. All told the commission how they had been given excuses and failed to become registered.

In Atlanta, Ga., early in 1958, two FBI agents, acting on orders from Washington, interviewed this reporter and made notes on this reporter's notes of interviews made in a probe in Wilcox County for a three-part series which ran in this newspaper in 1957.

Appeal Court To Consider Voter Suit

NEW ORLEANS, May 1 (UPI)—The U. S. Fifth Circuit Court of Appeals today took under consideration a request by the U. S. Justice Dept. to reinstate a Negro voter discrimination suit against the State of Alabama.

The court said it would hand down a ruling later. The original suit charged that 10 Negroes in Macon County, Ala., were denied voting rights. That suit was thrown out by a Federal District Court judge March 6.

The appeal seeks to overturn the ruling by District Judge Frank M. Johnson Jr., in Montgomery, Ala., who held that the Civil Rights Commission was powerless to sue a sovereign state.

U. S. Asst. Atty. Gen. W. Wilson White, head of the Justice Dept.'s Civil Rights Division, argued in court today that any state can be sued just as can a corporation which violates the law.

White also scored Judge Johnson's ruling that since the Macon County board of registrars had resigned there was no one to be named as defendant.

"The vacuum caused by the resignations of the registrars cannot be tolerated. The fact that the board of registrars members are absent is of no consequence," he said.

White maintained there is a "serious disparity of the registration of Negro and white voters" as a direct result of state action —he mentioned Tuskegee, Ala., whose city limits were changed to exclude a sizeable portion of Negroes.

Arguing for Alabama against renewal of the suit were Asst. State Attys. Gen. Gordan Madison and Nichols Hare. They said Negro voter registration in Alabama has increased 500 per cent in 12 years and Alabama now has 70,000 registered Negro voters.

Hare asked the three-judge court panel:

"What kind of Pandora's box would you gentlemen be opening if you allowed the government to sue the sovereign states?"

Alabama Press Conference—

Andrews would postpone vote on state's 11 electors

BY FRED TAYLOR
News staff writer

Alabama voters should wait until after the Democratic National Convention picks a presidential ticket before nominating 11 presidential electors from this state, in the opinion of State Sen. Lawrence K. Andrews of Bullock.

Andrews, in endorsing this plan proposed by another Black Belter, State Rep. W. L. Martin Jr. of Greene, declared, "I think it's an excellent idea. It's the only way to afford the people of Alabama an opportunity to know who they're voting for."

The veteran Bullock lawmaker also agreed with Rep. Martin's suggestion that each of the state's nine congressional districts furnish at least one of the 11 presidential electors. But all would be voted on statewide.

In pointing out that several other Southern states already hold primaries to nominate presidential electors after the party's national convention, Andrews added:

"IF WE HAVE the election prior to national convention's nominations (as Alabama has been doing), we're in the bag before the convention ever meets."

Andrews feels that "some" of Gov. John Patterson's tax program to raise $42 million more yearly for schools might run into difficulty in the upcoming session of the Legislature.

He suggested that any proposed school tax program be submitted to a statewide vote of the people.

AND ANDREWS favors placing Alabama's right-to-work law in the state Constitution.

The Bullock senator voiced these and other opinions on Sunday's "Alabama Press Conference," sponsored by The Birmingham News and Stations WAPI-TV and WAPI.

Next Sunday, this public information program will present State Sen. Robert G. Kendall Jr. of Conecuh, veteran of both House and Senate and member of the joint interim finance committee which recommended alternate plans to boost school revenues.

ASKED IF HE favored increasing the state's general sales tax from 3 to 4 cents, Andrews replied, "I might vote for it, but I'm not going to sit in Montgomery and place it on the people. I'd be glad to submit it to a referendum."

Gov. Patterson and the interim finance committee frowned on boosting the sales tax to produce an estimated $25 million more annually for schools. This had been recommended by Alabama's Education Commission.

Andrews strongly opposed plans to remove the present sales tax exemption on heavy machinery. He said this would handicap industrial development, adding that to knock out sales tax exemptions on industrial and farm items would place Alabama business and agriculture at a disadvantage in competing with concerns in neighboring states.

THE SENATOR was questioned about proposals to boost the sales tax on new and used cars from 1 to 3 per cent, to levy a 3 per tax on construction contracts in excess of $25,000 and to put a 3 per cent tax on all forms of advertising, except billboards.

"I don't think it's right to single out the automobile folks to carry the load," said Andrews. "The auto business has been a sick business.

As for the advertising tax, Sen. Andrews pointed out this had been proposed before and turned down, adding "I don't think we should single out any particular industry to carry the load for schools." He emphasized the same opinion regarding the proposed tax on contracts.

AS FOR BOOSTING the maximum state income tax rate on corporation earnings from 3 to 5 per cent, Andrews said "this might pass, but it's already been rejected by the people."

The Bullock senator declared against the administration's plan to equalize property tax assessments at 30 per cent of actual value, instead of the present 20 per cent.

He said State Sen. Walter Givhan of Dallas has a bill that would strip the state revenue commissioner of authority to raise or lower property assessment valuations and leave the "final determination" to local equalization boards.

ANDREWS LAUDED a bill drafted by Sen. Larry Dumas of Jefferson to set up independent school districts and another proposal prepared by the Andrews subcommittee on segregation ot permit any county to withdraw its school system from the state system. He predicted both would be passed by the Legislature.

Andrews, militant foe of legislative reapportionment, commended State Sen. E. B. Haltom of Lauderdale and his subcommittee for work in this field, adding that "Sen. Haltom is an able senator."

But he repeated that reapportionment measures should be sent to the State Archives and History Department.

He predicted a "neat scrap" over a proposal recommended by his subcommittee to restore the cumulative poll tax and remove all exemptions now accorded veterans of military service. Andrews is a War II veteran.

Andrews asserted that the absentee ballot "is one of the chief causes of election fraud in Alabama" and predicted passage of a bill to permit only those in the armed forces, their wives and hospitalized veterans to cast absentee votes.

He also feels another bill making it a penitentiary offense to buy votes would be passed to help clean up elections. "Our feeling is that if you can hem up the money, you can stop vote buying."

Andrews intimated he would introduce a bill to create a county unit system in Alabama similar to that in Georgia to assure political control for smaller counties.

He was questioned by Don Martin, chief of United Press-International Bureau at Montgomery, and this reporter, with WAPI-TV News Director Charlie Davis as moderator.

Act Is Aimed At Bloc Vote By Negroes

A legislative study committee, in a move apparently aimed at Negro voting, proposed today to outlaw write-in votes in Alabama elections.

Members of the interim subcommittee on revision of laws who have been studying racial problems agreed to recommend such a law to other members of the Legislature when they convene in May.

It would prohibit write-in votes in statewide general elections or in local elections. Write-in votes already are illegal in Democratic primaries.

NEGRO BLOCK VOTE EYED

While none of the committeemen would say it in so many words, it was apparent they were thinking of the possibility of Negroes casting a bloc vote for a write-in candidate in a general election when the voting generally is otherwise light.

Individual members have expressed concern over such a possibility at one time or another in the past.

But for the record, Sen. Lawrence K. Andrews of Bullock County, the subcommittee chairman, gave this explanation for the proposed ban:

HITS UNKNOWN CANDIDATES

"It would keep unknown candidates from getting elected on a write-in vote and would thus let the people know who they are voting for."

Andrews emphasized that the suggested law wouldn't keep independent candidates off the general election ballot. Under Alabama law as it is now, independents must make their intentions known on or before the date of the Democratic primary.

The subcommittee also proposed a law to make it illegal to pay another voter's poll tax or to give him money to pay it. Andrews said as far as the subcommittee can learn, there is no specific law against that now.

Other subcommittees also were busy today.

BANKS POSE QUERY

A group which has been studying the business of lending money heard a request from Alabama bankers for a clarification of the law regulating bank interest rates.

Walter Kennedy, president of the First National Bank of Montgomery, and Curtis Kendall, senior vice president of the American Nationl Bank of Mobile, said a question has arisen about just what the legal rate is.

They said the law mentions 6 per cent a year but that it doesn't spell out what other charges, if any, can be collected.

Kennedy said the banks aren't asking for any higher charges than they now get but merely a clarification. He said bank loans are controlled more by competition than by the law and that banks in some instances don't collect as much as they are permitted to.

The University of Alabama and Alabama Polytechnic Institute were ready to ask for budget increases totaling almost seven million dollars.

Presidents of both the huge state-supported schools have said they would request appropriation increases of about $3,500,000 each at hearings set today before the interim finance committee.

The finance group is holding hearings and receiving budget requests prior to drafting a proposed appropriation bill for carrying on the state's educational functions during the next two fiscal years.

If the committee approves the extra money and writes it into the measure, the Legislature convening next month would be asked to consider a budget totalling $16,931,261 for the two institutions.

SAY NEED CRITICAL

Dr. Frank A. Rose, university president, and Auburn President Ralph B. Draughon both say they critically need the extra money to hire more and better-paid instructors.

Specifically, Rose said the university needs $3,413,000 more than the current budget. Of this, $750,000 would go toward expanding indigent patient care at University Hospital in Birmingham.

He said the other $2,663,000 increase would be used to improve the 30 to 40 per cent deficit with the national average teacher pay and hire 100 new instructors — "less than one-half of what we really need."

AUBURN SITUATION

Auburn has a similar faculty situation, Draughon said, and needs an additional $3,496,261 over its present state allotment "to meet the demands facing it."

If granted, two-thirds of the increase will be applied on raising teacher salaries and hiring 102 new instructors. He said the rest would be used on Auburn's engineering and agricultural experiment stations, educational television and the agricultural extension service.

Both presidents say their present total budgets of $10,022,000—excluding University Hospital — are not enough to meet the demands of larger enrollments, improvide education and more services.

CAN'T MEET COMPETITION

And they say current appropriations won't allow them to offer teachers and salaries available elsewhere, thus hurting education standards through larger classes and less competent instructors.

Rose and Draughon also have expressed fear they will lose many faculty members unless they get more funds and raise salaries. Teachers can earn from $1,000 to $2,000 a year more in other states, they say.

The finance committee began the budget hearings Wednesday and received requests for increases amounting to more than two million dollars from six state-supported colleges.

The schools and increases asked were Jacksonville State College, $481,901; Florence State, $438,816; Troy State, $329,554; Livingston State, $104,000; Alabama State (Negro) $375,000; and Alabama A. & M. (Negro), $347,000.

TEACHERS NEEDED

Presidents of the colleges said they need the larger appropriations to employ more teachers

and pay them better.

Meanwhile, an interim subcommittee studying racial problems heard a detailed report on a possible way to prevent court-ordered school integration by dividing the school system into small units.

Jefferson County Sen. Larry Dumas said his plan is aimed at keeping classrooms open elsewhere if activity in one community is suspended because of a court order to admit Negroes to a white school.

He said the proposal would be a "second line of defense" against integration if the pupil placement law, recently upheld on face value, is ever ruled unconstitutional because of discrimination charges.

Voter Suit Court Test Postponed

By ALLEN GUNN

A scheduled hearing on the Macon County civil rights suit was cancelled Thursday in U.S. District Court as Judge Frank M. Johnson Jr. halted further proceedings until he decides whether the government can legally take any action.

In a brief prepared statement Judge Johnson said attorneys representing the United States and the state governments have agreed to submit various motions which are before the court "for disposition without any formal appearance or arguments on this date."

The federal government is seeking an injunction to prevent the denial of voting rights to qualified Negro voters in Macon County. Named as defendants in the suit were Grady Rogers and E. P. Livingston, last functioning members of the Macon County Board of Registrars, the board itself and the State of Alabama.

MOTIONS BEFORE COURT

Motions before the court on which the federal judge has yet to rule include:

1. A motion to dismiss the state as a defendant in the suit.

2. A motion to dismiss Rogers and Livingston as defendants on the grounds that they are no longer members of the board, having resigned on Dec. 10.

3. A motion to strike service of the complaint in the suit against the board and to quash a summons to the board on the grounds that the purported service was made on Livingston who at the time was not a member of the board.

4. A government motion to produce voter registration records and other records of the board and to permit the inspection, copying and photographing of the records, and to obtain an accompanying order directing the defendants not to destroy or transfer possession of the desired records until the completion of the requested inspection.

5. A state motior to dissolve a temporary restraining order forbidding any destruction or mutilation of the records.

MAY RULE TODAY

Judge Johnson is expected to rule on the motions Friday. He extended the temporary restraining orders Thursday "to and including March 16" or "until this matter is adjudicated, whichever occurs first." The extension was granted on the order which expired Thursday at the request of U.S. Dept. of Justice attorney Joseph M. F. Ryan Jr.

In his statement Judge Johnson said that in the event these various motions are decided in favor of the federal government's position, a formal pre-trial hearing will be held at 10 a.m. on March 19.

But, in the event the motions are decided in favor of the state, the statement said, "no further proceedings will be necessary since the case would be disposed of."

Despite the lack of a formal hearing, both federal and state attorneys conferred together and separately Thursday in the vicinity of the federal court. Atty. Gen. MacDonald Gallion and state Sen. L. K. (Snag) Andrews led the delegation of state defense attorneys.

U.S. Asst. Atty. Gen. W. Wilson White, head of the Justice Dept.'s Division of Civil Rights, appeared in Montgomery for the first time in connection with the civil rights controversy, joining Ryan, Robert Owen and Hartwell Davis, United States Attorney for the Middle District of Alabama.

U.S. AWAITS GREEN LIGHT

Vote Case In Macon Before Court Today

By REX THOMAS
Associated Press Writer

A federal judge may decide Monday whether the Justice Department can go on with its suit to stop the alleged denial of Negro voting rights in Macon County.

The government is asking for a court order to prohibit voter registration authorities from discriminating against Negroes because of their race. The pending suit claims that has been a prevailing practice in Macon County for many years.

REMAINING MEMBERS

But state's attorneys contend there is no functioning board of registrars in the county since the last two remaining members resigned last December and, consequently, no one to issue an injunction against. Hearing time is set for 10 a.m. at the Federal Building.

Federal attorneys insist the board members who resigned, E. P. Livingston and State Rep. Grady Rogers, cannot legally vacate their office until their successors have been appointed. So Livingston and Rogers were named defendants in the suit.

U.S. Dist. Court Judge Frank M. Johnson Jr., must decide whether they are still members of the board or, if they are not, whether the government can keep its suit in court with no specifically named defendants to prosecute.

CHIEF SPOKESMAN

The Justice Department filed its complaint under the federal Civil Rights Act. Atty. Gen. MacDonald Gallion, the state's chief spokesman, says the law itself allows the government to proceed only against individual defendants.

No hearing has been set on the Justice Department complaint, but the same issues will come up Monday on a government motion to prohibit Macon County authorities from disposing of old voter registration records. The government says it needs them for evidence.

A newly enacted state law gives registrars in every county the right to dispose of questionnaires filled out by prospective voters who, for one reason or another, were turned down. The questionnaire, uniform throughout the state, is used to measure an applicant's fitness to vote.

RECENT INQUIRY

The new law was designed to keep government agents from getting access to the records as they did during the recent Civil Rights Commission inquiry in Alabama.

Federal attorneys asked Johnson to stop Macon County officials from disposing of the records there, explaining it would be difficult to prosecute the discrimination suit without them.

As they did in the suit itself, the government lawyers contend Livingston and Rogers still have legal custody of the records and can be ordered to preserve them. The state says they cannot; that no one can be told what to do with the questionnaires until a new board is appointed. There is no indication when the state appointing board will name one.

If Johnson agrees with the state's argument about preserving the records, he will set a precedent for a similar ruling on Gallion's motion to throw out the suit itself.

Vote fraud charges hold 26 Alabamans

GENEVA, Ala. — Twenty-six persons were indicted on charges of election law violations. The named persons included the probate judge of the county, a deputy sheriff, two police chiefs, three policemen and a former state senator now a bank president.

The jury charged irregularities during the Democratic primary election last spring. The 26 persons were arrested but released on bond.

AMONG THOSE indicted are: Probate Judge R. S. Ward, charged with interfering with an election official and attempting to intimidate a poll watcher; Deputy Sheriff L. D. (Red) Sizemore, charged with being illegally present at a polling place.

Also: Police Chief O. C. Hicks of Samson, Police Chief Emil E. Sammons of Hartford; Officers Ernest Taylor and Resir Bush of Hartford; and Hartford bank president J. Albert Hughes. They are charged with interfering with election officials.

Tuskegee Negroes Ask Federal Action

U.S. Commission Would Fill Registration Void

TUSKEGEE, Ala., July 14.—(UPI) — Congress has been asked by Tuskegee Negroes to form a Federal voter registration commission to take over when state boards cease to operate.

The action was announced Tuesday by William P. Mitchell, secretary of the Tuskegee Civic Association. He said it was aimed at Macon County where there has been no registration board since Dec. 10, 1958.

The proposed legislation, drafted and sent to 33 congressmen by the association, would form a Federal commission to step in after 30 days if no state board is kept in operation.

Mitchell said the 33 congressmen are "all sympathetic to the need for civil rights for all our people."

He said Gov. John Patterson had repeatedly refused to appoint a new board because he said he could find no one to serve.

"That's not true," said Mitchell. "I know of eight people, both colored and white, who have asked to be appointed.

"Since the present administration's first day in office and every Monday since then we have petitioned the governor to appoint us a board. He has not yet replied.

"We had to take this action to get some relief. It's apparent we aren't going to get any out of the state."

PROBATE JUDGE ARRESTED

Widespread Vote Frauds Are Found In Covington

ANDALUSIA, Ala. (AP)—A probate judge was free on bail and arrests began on 66 indictments today in the wake of the Covington County vote fraud investigation.

The grand jury climaxed its week-long probe charging 66 violations Tuesday night several hours after Probate Judge Leland Enzor was held in contempt of court for withholding testimony.

A jury report said "Outright violations of our election laws and general and wholesale misuse of absentee voting privileges" were uncovered in last spring's Democratic primaries.

About 50 absentee ballots were cast in the names of dead persons or by impersonators of living voters the report said. One absentee ballot even was cast in the name of an election official.

Some prominent citizens were said to be among those indicated, but no names were available immediately. Several persons faced more than one indictment and the number of persons accused was not known. Seventeen indictments were for felonies and the rest misdemeanors.

Circuit Judge Murland E. Smith held Enzor in contempt for refusing to answer a grand jury question about voting irregularities. He was released on $500 bond and filed notice of appeal.

Enzor, according to Circuit Sol Joe Breck Gantt, refused to answer the following question at his appearance before the grand jury Monday:

"Will you give us the name of the election official from Beat 3, Box 1, in the last Democratic primary who told you that he had been offered a sum of money ($100) to miscount or tamper with the election returns?"

Gantt said Enzor told the grand jury the person was not a client of his, but told Smith Tuesday he had decided that an attorney-client relationship did exist.

The probate judge said he was a practicing attorney when the man approached him, but he was too busy with his campaign to take the case.

However, he said he felt the incident came under the Alabama Bar Assn.'s code of ethics which binds lawyers "to maintain inviolate the confidence, and, at every peril to themselves to preserve the secrets of their clients."

Lawyer under bond in vote fraud case

ANDALUSIA, Ala., March 21—Register-in-Chancery Abner Powell Jr., widely known Andalusia attorney, Saturday was placed under $500 bond on a charge of illegally aiding an absentee voter.

Powell, who has served as register in chancery 21 years and who is custodian of absentee ballots cast in Covington County, became the 15th person indicted by the Grand Jury there to be placed under bond on voting irregularity charges.

THE CHARGE against Powell, reported technical in nature, was one of 66 indictments preferred by the inquisitors in a sweeping probe of voting discrepencies.

Regarding the allegation he had given "illegal aid" to an absentee voter, Powell told The News that "It's just a regrettable mistake."

The register-in-chancery, who was not a candidate himself in last year's Democratic primaries (he is appointed by the Circuit Court judge in that area) has served under three circuit judges. He was reappointed only recently by Judge Murland Smith.

It was reported one additional person accused by the Grand Jury in its investigation of Covington alleged vote law violations remained to be placed under bond.

ABNER POWELL JR.
. . Bonded on vote charge

Judge Is Jailed in Vote Probe

ANDALUSIA, Ala. (AP)—Circuit Judge Murland F. Smith convicted probate Judge Leland Enzor of contempt of court Tuesday for refusing to answer a question before a grand jury investigating alleged election violations.

Smith ordered Enzor jailed until he answers the question. Enzor filed notice of appeal to the Alabama supreme court.

The probate judge was subpenaed Thursday to appear before the Covington county grand jury. On his appearance Monday, circuit solicitor Joe Breckgantt asked him:

"Will you give us the name of the election official in the last democratic primary who told you that he had been offered a sum of money ($100) to miscount or tamper with the election returns?"

Enzor refused to answer. In answer to another question, he said the person whose name was sought was not a client of his.

Write-In Vote Law Urged In Alabama

Ban Would Prevent Negro Surprise Election

MONTGOMERY, Ala., April 2.—(AP)—A law to prohibit write-in votes in Alabama elections was recommended Thursday by a legislature committee concerned with racial problems.

Its apparent purpose is to minimize the chance of Negroes putting their own candidates into office in general elections where voting usually is extremely light.

Since Democratic nomination is tantamount to election, a strong write-in vote could elect a surprise candidate if white voters took it too much for granted that the Democratic nominee would win.

The subcommittee which proposed a ban on write-in votes avoided any mention of the racial issue in explaining its action. But individually the members have talked of such a law in the past as a means of preventing Negroes from putting their own candidates on the ballot.

For example, they have expressed fear that in cities which have heavy Negro registrations, a bloc vote could be enough to win if enough white voters stayed home.

Senator Lawrence K. Andrews of Bullock County, the subcommittee chairman, said the committee recommendation wouldn't keep independent candidates from seeking office. But under existing law they must make their intentions known before the date of the Democratic primary.

Write-in votes are prohibited now in Democratic Party elections since the party has the right to reject anyone who hasn't properly qualified as a candidate. But in a general election, anybody's name can be written in.

Patterson OK's Voting Reforms

Five Proposals By Legion To Get His Backing

LAWS ARE TIGHTENED

MONTGOMERY, Ala., April 3—(UPI) — Gov. John Patterson pledged Friday to support five election reform recommendations drawn up by the American Legion committee studying voter procedure in Alabama.

Governor Patterson said he would discuss the proposals with his legislative lieutenants and try to get the recommendations passed in the regular session of the Legislature.

In Huddle

The Governor huddled in his office Friday with Legion Commander Robert H. Wilder of Daderille, Lawson Linn, Legion adjutant general of Montgomery, and Joe S. Foster, state Civil Defense director and a member of the Legion committee studying registration reforms.

The five recommendations were:

To limit absentee voting to duly qualified servicemen serving outside the state and their families and to service men in veterans hospitals.

Make the use of voting machines mandatory.

Require re-identification of voters every five years.

To have boards of registrars appointed by the Governor and have the terms staggered so there will be experienced members on the boards at all times.

Heavier Penalties

Make penalties for election law violations stronger and include disenfranchisement in all instances.

The committee said, "We are confronted with varied problems arising out of the varied interpretations of our voting laws and regulations as well as violations of these laws. Our laws are not bad laws. Our legislators have achieved considerable success in their efforts to place safeguards around this valuable privilege of voting. However, the inequities in the interpretations of these laws are apparent to many. Evils arising from our elections must be attributed in large part to the lack of understanding or misinterpretation of laws by those carrying out the laws."

Tuskegee Group Told Of 'Victory' In Montgomery

TUSKEGEE, Ala. (AP)—A Negro college professor says a solid Negro vote was instrumental in unseating two members of the Montgomery City Commission.

J. E. Pierce, professor of political science at the Alabama State College for Negroes at Montgomery, told the Tuskegee Civic Assn. Sunday he attributed the downfall to "the solidity of the Negro vote and a division among the whites."

Pierce said Negroes voted against incumbent city commissioners in the Democratic primary March 16 and the runoff a week later because "we didn't feel we were given justice" during the long bus boycott and other racial problems.

The college professor also said many white voters felt resentful toward city officials because of a city sales tax.

He expressed belief, too, that the Citizens Council membership split over "the fact that one man tried to dictate which way to go." He referred to Council President Bruce Wyatt, who urged white voters to unite in a bloc vote in the runoff and support Mayor W. A. Gayle.

Gayle and Police Commissioner Clyde Sellers were defeated in the primaries, but Public Works Commissioner Frank Parks was renominated.

Patterson Endorses Proposals Of Legion For Voting Reforms

By WALTER MOSELEY
Journal Staff Writer

Gov. Patterson today pledged his support to a resolution calling for sweeping revisions and rephrasing of some Alabama laws governing elections and registration of voters.

The five-point resolution was presented the governor today by an Alabama American Legion committee which has conducted an exhaustive study of Alabama's voting laws.

Citing the fact that many violations stem from misinterpretations of the voting laws, the Legion committee recommended the following changes:

1. Absentee voting be restricted to service men who are on duty outside of Alabama, and their families who are with them, plus disabled veterans confined to a hospital or VA facility. The latter would be required to attach to his ballot a certificate, signed by the proper authority, that he is a confined disabled veteran.

2. The use of voting machines should be required for all elections on all levels, and the state should provide, or participate in the provision of machines.

3. That all voters be required to reidentify themselves personally to their respective board of registrars not later than March 15, 1960, with the exception of those who have done so within the last four years. That such reidentification be required at prescribed intervals of not more than five years.

4. The governor should appoint the boards of registrars throughout the state, with the first appointment being on the basis of six, four and two-year terms for the three-member boards. After the expiration of each term, the governor would then appoint one member for a four-year term. That would insure a new appointment each two years.

5. Penalties for the violation of election laws should be made stronger, and in all instances include disfranchisement of the person convicted of any violation.

"I certainly endorse these proposals," Patterson said, "and I'm going to join with the American Legion to push this program in any way that I can."

The Legion pledged the assistance of its members in conducting schools for the voters to instruct them in the use of voting machines, and to also instruct election officials.

Robert H. Wilder, president of the Bank of Dadeville and commander of the Alabama American Legion, served as chairman of the committee. Other committee members were:

Buddy Crawford, mayor of Abbeville; Vernol R. Jansen, judge of probate of Mobile County; George L. Cleere, executive vice president of Coosa-Alabama River Improvement Assn.; William [illegible], Birmingham attorney; Circuit Judge Reuben Wright of Tuscaloosa;

James H. Berry, Cullman attorney; Dr. Ernest N. Stone, Jacksonville superintendent of schools; Judge Emmett V. Roden of the Law and Equity Court of Lauderdale County; Joe S. Foster, Alabama director of Civil Defense; and Charles R. Adair, solicitor of Tallapoosa County.

Women Plan Vote League Session Here

The League of Women Voters will hold its monthly general meeting Wednesday at 9:45 a.m. at the Bellingrath Community Center.

Following the business meeting a report will be given by Mrs. M. Y. Yeoman, Montgomery League president, on the activities of the Alabama State Council of the League of Women Voters which convened in Tuscaloosa earlier in the month.

Of special interest to League members late reports by Mrs. I. Berman, Alabama state president of the League and Mrs. Frank Futrell, state vice president, on the proposed state poll tax bill and other bills relating to election laws, which will be introduced by the Legislature this summer. The League's stand on these issues will be reviewed and reaffirmed.

A coffee will precede the meeting.

Is Voting Worth $1.50 A Year?

EFFORTS ARE being made by some members of the legislature to restore the cumulative poll tax in Alabama. Under the plan every delinquent to become eligible to vote would have to pay up all previous years he had failed to pay.

Before the present new amendment was adopted requiring the payment of only two delinquent years, it was possible that a voter might be required to pay as much as $36, the amount that would have been due during 24 years by those who failed to pay from the time they were 21 until they reached 45.

The new amendment and election law made it possible for a delinquent to become a voter by paying only $3.00, the back tax for two years.

Since the removal of the full time delinquent tax nearly 200,000 voters have been added to the state's voting rolls, and it is recognized that a great many of them are voters who are unqualified to exercise the franchise.

In the beginning of the American government—and even before that when the Ordinance of 1787 was adopted for the Northwest Territory—no man could vote unless he owned some real estate; that is, he had to be a responsible citizen and not a wastrel who spent everything he had as he went along through life.

Property owning is still a requirement for voting in some of our states.

—o—

For many years Alabama also had a property owning requirement. In 1901 the new Constitution made annual payment of $1.50 poll tax one of the requirements for voting. Even after the adoption of this requirement it was noted that thousands of men were so lazy, indifferent and unthrifty that they failed to pay the tax year after year. They did not regard the voting privilege as important enough to pay $1.50 a year for it. A shameful number even allowed someone else to pay the tax for them, and vote then like sheep.

—o—

As the years passed, it was found that many men were neglecting to pay their poll tax and the back taxes accumulated so that the neglect could amount to $36, or the tax for 24 years, and this had to be paid all at one time before a man could become a voter. The man who wasn't willing to pay $1.50 to obtain the vote certainly held back at paying $36 in order to get on the lists. Then came the habit of candidates or their friends paying other men's poll taxes in order to get their votes.

It seemed an outrageous imposition to the neglectful ones, and demand arose to abolish the cumulative poll tax and require a man to pay only two delinquent years or $3.00 in order to become a voter. Since that low fee was instituted many thousands of new voters have been added to the rolls. Something like 40,000 of these latecomers were Negroes.

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All this meant that our average standing of voting in Alabama was diluted until it became very thin, and began to show itself in dilution of political leadership, and this was such that we began to elect men such as James E. Folsom as governor whose two administrations are now recognized as the most shameful in the history of the state.

The lesson from what happened by turning thousands of unqualified men into the voting booths is pretty plain. The new horde included a vast number of voters who did not regard the voting privilege as something worth $1.50 a year.

It is now proposed to restore the cumulative feature and require voters to pay $1.50 every year, including delinquent years, between the ages of 21 and 45 in order to vote.

It is certain that restoration of the cumulative poll tax would improve the quality of our electorate and therefore the quality of the men we elect to public office.

And this, in the words of Shakespeare, is a consummation devoutly to be wished.

Laws Revision Group OKs Poll Tax Move

By BOB INGRAM

The Committee on Revision Laws of the Legislature Friday gave its official endorsement to a proposed constitutional amendment to reinstate the old cumulative poll tax.

Sponsors of the measure admitted it was designed to discourage Negro voter registration.

The plan, which would have to be approved in a statewide referendum, had previously won the support of a subcommittee looking into segregation and voting legislation.

And its approval by the entire committee — although not by a unanimous vote—greatly increases its chances of passage in the Legislature this summer.

MAJOR DIFFERENCE

If passed by the Legislature and ratified in the referendum the poll tax would revert to the system followed up until 1951. The major difference now is that persons who have never registered before only have to pay $3, the amount of the poll tax for two years. The plan proposed Friday would require the registrant to pay all the back poll taxes he might owe from his 21st brithday to the present time.

The committee also approved a bill, it too the work of the segregation subcommittee, to eliminate the present penalty in the law for selling votes but to make a stiffer punishment for selling votes.

Sen. L. K. Andrews of Bullock said the present law provided equal punishment for the vote seller as well as vote buyer, and resulted in few convictions because of the inability to secure witnesses.

'ADMITTING CRIME'

"Nobody is going to testify against the man who bought his vote because he would be admitting a crime himself," Andrews explained.

The committee also approved a bill to abolish absentee voting in Alabama, but the approval came only after the lawmakers were assured some exceptions would be written into the law.

Reports from the other four subcommittees were considerably briefer, but the committee did okay one measure of significance relating to the election of the state school superintendent.

Acting on the recommendation of the education subcommittee, the committee approved a measure calling for the appointment of the state superintendent by a nine-member State Board of Education. The board members would be elected, one from each of the state's congressional districts.

APPROPRIATION BILL

Meanwhile, the interim Finance and Taxation Committee finished its work on the general appropriation bill to finance non-educational functions of state government for the next two fiscal years.

The committee's version was turned over to Gov. John Patterson who is expected to incorporate it in his budget message to the Legislature which convenes in regular session May 5.

Next week the finance committee turns its attention to the educational appropriations. Hearings on the school budget will begin Tuesday.

Hawkins Hits Move For Cumulative Tax

GADSDEN (AP) — George Hawkins, unsuccessful candidate for the Democratic nomination as governor of Alabama in 1958, Friday opposed a proposed constitutional amendment to restore the cumulative feature of Alabama's poll tax.

The proposal was made Thursday by an Alabama legislative subcommittee on segregation.

Alabama voters in 1953 approved an amendment knocking out the provision which required prospective voters to pay up all back poll taxes in order to qualify as a voter.

Alabama levies an annual $1.50 poll tax. Under the old law, the cumulative tax bill could run as high as $36 if a person over 45 who had never paid it sought to vote.

Hawkins issued a statement declaring:

"It will be a day of dark disgrace for Alabama to return to the $36 poll tax. After many years work, we were successful in 1953. . . to put a limit of $3 on the poll tax."

Hawkins said that more than 200,000 persons were added to Alabama's voting lists a few months after the amendment was passed.

"Tens of thousands of white women began to vote for the first time," he added. "Some colored people may have registered to vote for this reason, but the percentage of white voters increased overwhelmingly because of the reduction in this tax."

The proposed amendment to return to the old poll tax law is an admitted effort to keep Negroes from registering to vote.

The Poll Tax Pain

An Alabama legislative committee has concluded that the way to restrict Negro voting is to increase the poll tax until it hurts. Apart from the wisdom or unwisdom of this, one factor in this is no longer controversial: a heavy poll tax does keep citizens, white and colored, from voting.

For the generation up until 1953 the poll tax was, as now, $1.50 a year, but the tax was cumulative for every year from a person's 21st birthday to his 45th. Thus a 45-year-old person who had never paid would have to pay $36 to vote. Naturally, many persons allowed their tax to lapse for a few years during the depression.

Nevertheless, it was believed by many — including this newspaper— that a person who wanted to vote would not be deterred by the necessity of paying a few dollars tax. But this was quite erroneous, as was seen by the tidal registrations that followed moderation of the cumulative tax feature in 1953. There simply is no reasonable ground now to doubt that a consideration of a few dollars will keep many citizens, white and colored, from the polls.

Thus the legislators are faced with the same situation as with the appointment of members to the vacant board of registrars in Macon County: a vacant board prevents registration of Senator Engelhardt's son along with the Tuskegee professors. Another way, when the Negro leaders here close Oak Park, they blot out the jobs of Negro citizens and prevent construction of new Negro park facilities.

It is possible that a more realistic way to limit registration of unqualified citizens lies in imposing much more demanding tests of fitness. There is no question but that there are thousands of whites voting in Alabama who are unqualified. But what kind of effective test of a citizen's fitness to vote could be contrived, we are at a loss to suggest. After all, candidates for governor and the U.S. Senate commonly wind up with arguments that, if true, would disqualify their opponents from voting.

CC Split Helped Beat Gayle, Negro Claims

TUSKEGEE, April 13 (AP) — A Montgomery Negro educator says a split among members of the Citizens Council there contributed to the defeat of Montgomery Mayor W. A. Gayle in the recent Democratic primary.

Gayle was beaten for renomination by former City Commissioner Earl James in a runoff election March 23.

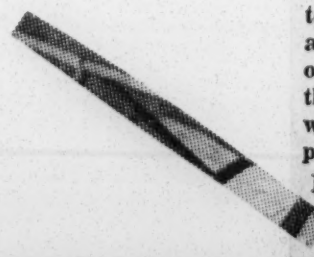
The Negro educator, J. E. Pierce, of Alabama State College for Negroes, also told Tuskegee Civic Assn. yesterday that a Negro bloc vote, coupled with a division among white voters, was influential in the defeat of Gayle and Police Commissioner Clyde Sellers.

J. B. Sullivan was nominated in Sellers' place in the primary March 16.

Pierce said Negroes voted against incumbent commissioners because "we didn't feel we were given justice" in the long bus boycott and other racial issues.

He said Citizens Council members were divided in the runoff election because of "the fact that one man tried to dictate which way to go."

He apparently referred to Council President Bruce Wyatt, who publicly urged white voters to vote in a bloc to offset the Negro vote, and then asked them to support Gayle.



'Push button' vote idea gets to committee

MONTGOMERY, Ala., April 14 — (AP) — The Legislature's racial screening committee met in closed door session today to pass judgment on a proposed "push-button" registration bill aimed at Negro voting.

Sponsored by Bullock County Sen. Lawrence K. Andrews, the measure provides for a new intelligence test for prospective voters with the results graded by an electronics machine.

It would replace the present system in which registration officials themselves look over the questionnaires filled out by would-be voters and decide whether they pass or fail.

THE PROPOSED machine test is designed to relieve registrars from the threat of damage suits or federal prosecution for turning down Negro applicants. A Justice Department complaint has already been filed over the alleged discrimination against Negroes in Macon County.

Andrews said the intelligence test, which would be given to all prospective voters regardless of race, is based on the theory that most Alabama Negroes would be unable to make a passing grade.

If they failed, he said, "then they can sue the machine."

AN INTERIM COMMITTEE,

also meeting today, arranged to hear more requests for budget funds before going into executive session to discuss school needs.

The legislative group, returning from week-end recess and a two-day trip to Mobile late last week, faces the mammoth task of writing an educational appropriation bill to finance the schools during the next two fiscal years.

Its suggested appropriations will be submitted along with the recommendations of other interim committees to the 1959 regular session of the Legislature, which begins in about three weeks.

Today's conferences are preliminary to writing the school budget, Sen. Vaughan Hill Robison of Montgomery, chairman, said the committee will start the actual drafting later in the week.

AN INSPECTION trip to Partlow State School at Tuscaloosa is scheduled for committee members tomorrow. Last Thursday and Friday they visited the financially troubled State Docks at Mobile.

After the trip to Tuscaloosa, the committee is slated to hear from Mervyn Sterne of Birmingham, chairman of the finance subcommittee of the Alabama Education Commission. It has recommended about $37 million a year in new taxes for school needs.

Negro Control Of Elections

SOMETHING NEW has occurred in Alabama politics when a representative Negro from a state supported college stands before an audience at Tuskegee Institute and tells the world that Negroes by united action defeated Mayor W. A. Gayle in Montgomery's recent city election.

The danger of Negro bloc voting has been commented upon before, but this, we believe, is the first time that a faculty member of a big state Negro college has boasted that his race holds the balance of power in an important election.

The speaker attributed Mayor Gayle's defeat to a combination of united Negro votes against him, and a division that arose among white voters in Montgomery.

The most disturbing thing about this is that Negroes have been put upon the voting rolls in such numbers under the Folsom regime that they can readily exercise a balance of power both in Montgomery and in the state at large.

Mayor Gayle has held office as commissioner and as mayor of Montgomery for 20 or more years and he has been during that time a staunch segregationist, as are virtually all of his white constituents in Montgomery. He has at the same time been fair and generous in his treatment of Negroes. Specifically the Negro speaker at Tuskegee said that their chief grievance against Mayor Gayle was the manner in which he conducted affairs during the year-long Negro bus strike in Montgomery. That was a time during which the mayor and his associates were striving to prevent violence and disorder in the city.

While the Tuskegee speech is an ominous note sounded with regard to the power of Negro voters in an important Alabama election, it is even more important to contemplate another angle of the situation.

After Reconstruction, when force had been used to put ignorant and unqualified Negroes on the voting lists by the thousands, our elections became disgraceful and corrupt because of the struggle and bidding among white office seekers for the Negro vote. That was remedied to a great extent by the State Constitution of 1901 which provided new voting qualifications and did away with the practices that had grown up to offset the evils of Reconstruction policies.

The misfortune of today's situation is that our office-seekers in desperation will begin to court this new Negro vote which can be decisive, and that we shall gradually drift into a situation similar to that which the 1901 Constitution was devised to correct.

This foretells dishonest elections; it foretells bloc voting on a big scale; it foretells bribery and corruption as well as promises and deals against the interest and welfare of the state.

It all poses a new problem faced by the Alabama electorate today similar to that in Atlanta where a mayor's dealing with Negroes is such that he cannot be defeated for office because the Negro vote holds the balance of power and the mayor carries that vote in his hip pocket.

It is a part of the mess into which we have gotten ourselves and into which we have been partially driven and forced by the new Reconstructionists in Washington. But it also means that we must find new ways of doing what our fathers did to rescue control of government from ignorant and incompetent and unprepared hands.

Vote Denial Complaints

Since there are the uncomplaining racially disfranchised in Lowndes, Wilcox, Bullock and Dallas counties, to list only four, it is encouraging to see just nine Negro persons in Montgomery County who have been refused electorship filing formal complaints seeking to correct the situation. Racial vote denying in Black Belt counties stands as one of the shameful scandals of democracy in Alabama.

Yet there are spots in this same state where less difficulties face Negro citizens. But there is tragic apathy, freedom indifference, and impotent civic leadership. Here in Jefferson County where there has been alleged boswelling, our civic and community leaders seem to lack the talent, desire, and enthusiasm to get a productive voter-registration campaign rolling. Money is raised, speeches made, and promises given, but that is almost all we get from our civil-service leaders.

Our leaders with the right kind of voter-registration campaign could make it hard for anybody to deny a qualified applicant his right to become a voting citizen. Certainly it could be made so hot for the would-be disfranchiser that he would hesitate to unfairly and willfully refuse to accept properly qualified voter-registration applicants from enrolling as voters. The day should be over for balky-talky civic leaders who no longer seem to be able to deliver the freedom goods.

We repeat what we have said before: It is unlikely that any substantial help will come from the Alabama Advisory Committee to the U. S. Civil Rights Commission, which has ended its tenure. The advisory committee put itself in a surrendering position at its very beginning by announcing self-imposed restrictions in the vitalized field of civil rights. This committee seemed to have embraced the do-nothing doctrines of those who seek to freeze the status of the Negro group at the lowest round in our social order.

Every effort needs to be put forth to get the present Congress to enact the necessary legislation to provide every American citizen his every right to flow in the main streams of full citizenship. The lower federal courts have decided voter-registration cases arising under the Civil Rights Acts in a way to continue the seeming helplessness of the Department of Justice to operate under the Fifteenth Amendment.

Likely the would-be voter is going to have to see the light and provide self-leadership for the right-to-vote. For something disturbing seems to have happened to our on-the-scene leadership in the field of civil rights. Voting is the number one civil right. Upon it pivots all of the other civil rights. The ballot is an investment in the profits of democracy. The non-voter not only fails to share in such benefits but is not in the best position to help his group make general freedom gains.

State Asks Court Block U.S. Action

Motion To Name Alabama Defendant Attacked By Gallion

Atty. Gen. MacDonald Gallion filed a motion to dismiss the State of Alabama as a defendant in a federal suit to force registration of Negro voters in Macon County on the eve of a Thursday hearing in U.S. District Court here.

Federal Judge Frank M. Johnson Jr. scheduled the hearing on a government motion to include the state in the court action involving the Macon County Board of Registrars and its last two functioning members, E. P. Livingston and Grady Rogers.

The state motion, filed by Atty. Gen. Gallion and Special Asst. Atty. Gen. Nicholas S. Hare, lists 58 alleged grounds for dismissing the state, including an attack on the constitutionality of the Civil Rights Act of 1957 under which the court action was brought by Department of Justice attorneys.

STATES RIGHTS ISSUE

The act is in violation of the 10th, 11th and 15th amendments to the U.S. Constitution, the motion charges. The 10th is the "state rights" amendment; the 11th deals with suits against a state by citizens of another state or of a foreign country; and the 15th forbids the denial of the right to vote to any person because of race, color or previous condition of servitude and authorizes Congress to pass "appropriate legislation" to enforce it.

The motion charges that a part of the act is in direct violation of the principle of states rights.

Another reference to the Constitution in the motion claims that Article III, Section 2, Clause 2 of the Constitution confers original jurisdiction on the Supreme Court of the United States "in all cases to which a state may be a party."

ORIGINAL JURISDICTION

That clause states: "In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction."

The motion brings up many arguments already stated in regard to the original parties in the suit. Among these are the charges the suit is moot in view of the absence of a functioning board in Macon County which intends to persist in actions which might be discriminatory in nature, and that the Civil Rights Act authorizes suits only against individual "persons" and not against the state or any agency thereof.

The motion deals extensively with the authority of the federal government in bringing such a suit as this. It charges that the plaintiff in the case, the United States of America, has not suffered any injury and does not have "any direct interest" in the controversy.

Calling the suit a "vicarious controversy," the motion claims that the real parties of interest are "certain citizens of the State of Alabama; and that the plaintiff is only a nominal plaintiff bringing this suit for and on behalf of said citizens or is affording a conduit through which these particular citizens of Alabama are asserting certain rights or alleged violations of rights personal to themselves, and, therefore, this Court will not entertain the suit, it being a suit against a state by citizens of that state."

The motion also urges that "the district courts will not entertain this suit by the United States of America against a state for reasons of comity" or a suit "involving a political question." Nor will a district court "exercise general supervisory control or power over a state government," the motion contends.

This is a "suit by the United States against a state involving only governmental function as distinguished from a proprietary interest," the state claims in the motion.

The motion denies that the state can be held responsible for any alleged violations of civil rights, for, it argues, "If there be any discrimination in voting rights, such action can not be attributed to the state of Alabama in view of the statutory and constitutional directions to the individual officers conducting registration."

ALABAMA'S POSITION

The state attorneys last week asked Judge Johnson to dismiss the suit against Rogers, Livingston and the board on the ground that (A) Livingston and Rogers, now a state representative, have resigned, and (B) the board itself with no functioning members has no legal status and cannot be sued.

The federal jurist still has these dismissal motions under consideration and may rule on them Thursday following the hearing on the Justice Dept. petition to bring the state in as a defendant.

Also yet to be decided is a government motion to have voter registration records in the county preserved until they can be examined and photographed. Judge Johnson has issued a temporary restraining order to that effect which expires Thursday.

Conceivably, should the temporary order not be extended or made permanent, the records could be destroyed in part under recently enacted legislation.

Brown Takes 'Bit Broader' Voting Stand

OZARK (AP) — Mayor James D. Brown said Thursday he told a Civil Rights Commission hearing in Washington he would take a broader view of voting rights than Gov. John Patterson does.

Brown, chairman of the Alabama advisory committee to the commission, said he told the commission in Washington Wednesday that the state is trying to do right by the voting question but that Patterson is taking the view of Citizens Councils that Negroes are not entitled to vote.

"If I was governor, I'd look at it a bit broader," he added.

Brown said he feels that anyone who is qualified should be entitled to vote but that the white people in Black Belt counties fear they will become a minority group at the polls.

The committee chairman said the state will never integrate its public schools and "if picked on, it might lead to bloodshed."

Integrationists will never force desegregation on the South, he added.

"They can't put things in people's hearts that are not there," he continued. "They can't put a federal officer in every polling place, every school and every factory to see that it's carried out."

Dismissal Is Upheld In Civil Rights Suit

Justice Department Can't Sue Registrars Who Quit

NEW ORLEANS, June 17.—(AP)—The United States Fifth Circuit Court of Appeals has upheld dismissal of a voter registration suit in Macon County, Ala., where only eight per cent of eligible Negroes could vote in 1958.

The Appeals Court agreed with District Judge Frank M. Johnson Jr.'s ruling that the Justice Department could not sue two Macon County registrars who had already quit.

The Justice Department also named the State of Alabama and the Registration Board as parties to the suit. But Johnson ruled the Civil Rights Act permits suits against individuals only.

Therefore, the Montgomery, Ala., judge said neither the state nor the registration board were suable, and the Appeals Court Wednesday affirmed the ruling.

In its suit, the Government pointed out in 1958 only 1,100 Negroes of some 14,000 Negroes of voting age were registered to vote in Macon County. It said, at the same time about 3,016, or 97 per cent, of the county's 3,100 vote-age citizens were registered voters.

The Government said the board applied tougher registration standards to Negroes and denied vote registration solely on account of race. It asked relief against the board's practices in its suit.

The suit, titled United States vs. State of Alabama, was originally filed against Registrars Grady Rogers, E. P. Livingston and the county registration board on Feb. 5.

The appeal came from the district court for Alabama's middle district. The appellate court ruling was written by Chief Judge Joseph C. Hutcheson Jr.

Patterson Praises Rights Case Ruling

Says Dismissal Vindicates Alabama's Stand

MONTGOMERY, Ala., June 17.—(UPI)—Gov. John Patterson declared Wednesday Alabamas' defiance of the Civil Rights Commission was vindicated by the Fifth Circuit Court of Appeals decision to dismiss charges against the state of discriminating against Negroes.

"When this suit was originally brought in Federal Court, Governor Patterson said, "the State of Alabama took a strong stand on our rights as a sovereign state. It is our duty, in my opinion, to continue to resist all attempts by the Federal Government to encroach upon the rights of the states."

The Chief Executive charged "this case grew out of unconstitutional meddling into our affairs by the Civil Rights Commission. It shows the extreme to which the Federal Government will go in undermining the powers of a state under the guise of civil rights.

"I am pleased with the decision of the Federal courts in this case and feel that it is a victory for our constitutional form of government."

Tuesday, the Fifth Circuit Court of Appeals at New Orleans upheld dismissal of the voter registration suit against the Macon County registrars where only eight per cent of elegible Negroes could vote last year.

The appeals court agreed with United States Middle District Judge Frank M. Johnson here that the Justice Department could not sue two Macon registrars who had quit their jobs.

Voting Measure Is Carried Over

Debate In Alabama Senate Is A Bitter One Over Absentee Balloting

By United Press International

MONTGOMERY, Ala., May 26.—The Senate voted to carry over two legislative days Tuesday a bill to curb absentee voting in Alabama after bogging down in bitter debate over the controversial issue.

The bill now will come up for final action next Tuesday.

The measure, one of two on the Senate calendar dealing with absentee balloting, would limit such voting to servicemen and their wives. It was introduced by Senator L. K. 'Snag' Andrews of Union Springs, chairman of the Interim Segregation Subcommittee.

The vote to carry the bill over came a few minutes after the Senate reconvened following a brief recess for lunch. The proposal was made by Senator Ryan Degaffenried of Tuscaloosa.

Motion To Table

Andrews immediately countered with a motion to table Degaffenried's proposal, but the Union Springs senator lost 19-14.

The Senate then gave voice vote approval to carry the bill over "to take time out to work out a compromise."

Before the vote, Senator Lawrence Dumas of Birmingham, who bitterly opposed the bill in

the morning debate, proposed an amendment after realizing the majority of the Senate was strongly in favor of the measure.

Dumas sought to exempt all transportation workers regularly involved in hauling goods who would frequently be away from the polling places at elections. The amendment was not voted on.

Before lunch, Andrews easily rallied enough strength—27-7—to table a motion by Dumas to postpone action on the bill indefinitely.

Dumas charged the measure would "substantially disenfranchise" some 6,000 - 7,000 "honest, reliable citizens."

In answer to Andrews' pleas to pass the proposal to rid the state of election evils, Dumas argued "I don't see any point in destroying the whole institution just because of a few abuses. I do not think you should take away such a sacred thing as a man's right to vote simply because a few crooks abuse it."

'Political Implications'

The Birmingham senator also reminded his colleagues of the "political implications" of the bill. He said persons deprived of their vote "are going to make inquiries. They're going to find out what the senator from Bullock (Andrews) introduced this bill, and that the senator from Crenshaw (Alton Turner) supported it."

Dumas said one conviction would do more to halt voting corruption than any attempt to limit absentee balloting. He charged "there wouldn't be any instances of fraud if election officials enforced the laws already on the books.

"You don't burn down a barn because there is one rat in it and you don't throw away a barrel of apples because one is rotten."

Senator Dennis Porter of Washington retorted, "the evils of the absentee ballot far outweigh the good."

Porter said, "I know of one instance where an election was held in the living room of a prominent county oficial." He said the Andrews bill would be a "good start" toward eliminating all such vote corruption.

Court Ruling And Alabama Registration

In view of the Supreme Court decision earlier this week that a North Carolina law requiring that a prospective voter be able to read and write any section of the State Constitution is valid, a bill by Rep. W. L. Martin might well be considered by Alabama legislators.

Martin's bill would provide for a push-button system of grading questionnaires filled out by registrants.

The court decision leaves the state the power to formulate a questionnaire requiring high enough intelligence as to adequately test would-be voters. Checking of the papers by electronic machine might relieve registrars of the threat of a lawsuit when applicants are turned down.

To be really effective, as *The News* has pointed out previously, there should be not one but several fairly stiff questionnaires to be used interchangeably. The old questionnaire is so well known that anyone can memorize answers. This has been exploited by groups interested in "mass registration."

Adoption of several questionnaires of equal difficulty, any one of which could be legally administered to any prospective voter, would complicate memorizing answers. This would go a long way toward insuring that only the truly qualified are registered.

With stiff questionnaires administered to all applicants, and grading on an electronic device, there could be little complaint of discrimination or unfair treatment.

While the Legislature is considering voter registration generally, it might act on a few of the other recommendations made as a result of *The News'* intensive study of Alabama voting problems a couple of month ago:

More rigid rules and regulations on a state government level concerning the examination of applicants; more pay for registrars and more money for supplies and equipment; a full-time clerk in each office to handle the records; information in a statewide handbook or by some other means to keep registrars fully informed by legal experts just what the law is and requiring them to abide by it.

With adoption of such recommendations, civil rights "investgators" would have little to investigate in Alabama's voting machinery.

Ed.

MORE THAN ONE-THIRD

Alabama Leads Nation In Voting Complaints

Mon, 5-18-59

WASHINGTON (AP)—More than one-third of the voting complaints filed with the Commission on Civil Rights have come from Alabama, a House Appropriations subcommittee was told in testimony released Sunday.

Commission spokesmen informed the subcommittee that since its founding in the fall of 1957 and through last April 30, it received 310 voting complaints, including 119 from Alabama.

Commission spokesmen praised the voting situation in some sections of the South and criticized it in others.

The commission said it has received 922 complaints, including 310 dealing with voting and 114 which were illegible, anonymous or abusive.

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DURING HEARINGS before the subcommittee in early May, made public Sunday, chairman John Rooney (D-NY) observed that he was impressed by the small number of complaints.

"We attach great significance," replied Gordon Tiffany, commission staff director, "to the denial of the right to vote in any single instance."

Tiffany said the commission believes "the numbers are shocking."

"This number has been able to come forward and to state in solid terms the precise nature of the denial of the right to vote in a particular community."

Commission Chairman John A. Hannah commented that there are many factors that prevent people from filing complaints. One, he said, is the lack of knowledge of how to file complaints and another is the fear of reprisals.

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Hannah told about the commission's hearings in Montgomery, Ala., last December, when some 37 complaintants testified.

"If there was any question as to what was happening in these counties of Alabama, at least, it appeared that they were being deprived of the right to register because they were Negroes," he said.

The examination of the facts, Hannah said, "indicated that in these counties where there were thousands of Negroes of voting age a very small number of them were registered in some counties and in others, none of them were permitted to register."

Hannah said the commission's information indicates that the situation is not very different in some other areas of the South. But, he added, "It must be said that in many areas there is no difficulty at all with Negroes voting."

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IN ATLANTA, HANNAH said 3 Negroes were encouraged to vote. He said he was pleased with the housing area there. "There is a better opportunity provided for middle-class and high-class housing for at least some of these Negroes than in many cities in my part of the country," he said. He lives in Michigan.

Hannah said that most civil rights complaints in the South deal with voting while in the North they are largely concerned with housing.

It is his impression, Hannah said, that the voting situation in Georgia "is pretty good and getting much better."

"Georgia is one of the most progressive states in the union, and one of the most liberal states in the union," said Rep. Prince Preston (D-Ga.).

Hannah replied: "I believe that is right."

The commission representatives were before the subcommittee in support of an appropriation request of $288,000 to carry the commission until Nov. 8. Hannah said that if legislation is passed to extend the commission for a longer period, it would request a supplemental appropriation of $500,000 for the remainder of the fiscal year.

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HANNAH SAID that, from the standpoint of the good for the country, he thought the commission should be continued.

From a personal standpoint, however, he said his answer would be "no." That is, he explained, "if it means that we are going to have to be involved for a long period of time, because this is an onerous task and it is not a task that anyone seeks." He referred to a newspaper poll which indicated that present commission members did not want to serve longer.

"I think that the climate in which we can discuss civil rights is much better today, because of some of the contributions the commission has made than would be the case if it was not for this commission," he said.

Here is the breakdown of the voting complaints by states filed with the commission through last April 30:

Alabama 119; Arkansas 6; Florida 14; Georgia 1; Illinois 2; Indiana 2; Kansas 1; Kentucky 1; Louisiana 95; Maryland 1; Massachusetts 1; Mississippi 41; Missouri 2; Nebraska 1; New Jersey 1; New York 1; North Carolina 2; Oklahoma 1; Pennsylvania 2; South Carolina 3; Tennessee 7; Texas 1; Virginia 2; West Virginia 1 and Wisconsin 2.

Macon County still without vote registrars

TUSKEGEE, Ala., Dec. 7—(AP)—Despite state law, voter registration machinery in Macon County remained in year-long idlenes today with three newly named registrars still undecided whether to serve.

State officials appointed a new board for the heavily Negro-populated county Nov. 25, but it did not function today although state law sets aside the first and third Mondays of each month for that purpose.

Wheeler Dyson and Everette Story, both of Tuskegee, and S. S. Still of Hardaway all reiterated their indecision yesterday. An earlier three-member board named in July refused to accept the job.

Macon County, where Negroes outnumber whites nearly six to one, has added no new voters to its poll lists since last December when one registrar died and the other two resigned.

THE BREAKDOWN, during a U. S. Civil Rights Commission inquiry into Negro voting complaints in Macon and five other Alabama counties, was followed by a Justice Department suit against the county.

Seeking a federal injunction to prohibit discrimination against would-be Negro voters in Macon County, the suit was thrown out by U. S. District Judge Frank M. Johnson Jr., of Montgomery.

Johnson ruled that the resignation of registrars E. P. Livingston and State Rep. Grady Rogers left the government no one to sue, and the U. S. Fifth Circuit Court of Appeals upheld him. The suit is now pending on appeal to the U. S. Supreme Court.

Macon Registrars Still Undecided On Serving

TUSKEGEE, Ala. (AP)—Despite state law, voter registration machinery in Macon County remains in year-long idleness and three newly named registrars are still undecided whether to serve.

State officials appointed a new board for the heavily Negro-populated county Nov. 23, but it did not function today although state law sets aside the first and third Mondays of each month for that purpose.

Wheeler Dyson and Everete Story, both of Tuskegee, and S. S. Still of Hardaway all reiterated their indecision Sunday. An earlier three-member board named in July refused to accept the job.

Macon County, where Negroes outnumber white persons nearly six to one, has added no new voters to its poll lists since last December when one registrar died and the other two resigned.

The breakdown, during a U.S. Civil Rights Commission inquiry into Negro voting complaints in Macon and five other Alabama counties, was followed by a Justice Department suit against the county.

Seeking a federal injunction to prohibit discrimination against prospective Negro voters in Macon County, the suit was thrown out by Federal Judge Frank M. Johnson Jr. of Montgomery.

Johnson ruled that the resignation of registrars E. P. Livingston and state Rep. Grady Rogers left the government no one to sue, and the U.S. 5th Circuit Court of Appeals upheld him. The suit is now pending on appeal to the U.S. Supreme Court.

Macon Board Will Bypass Applications

TUSKEGEE (AP)—Monday is the first day for voter registration since new registrars were named for heavily Negro-populated Macon County, but no applications will be accepted.

Although Monday is one of the first and third Mondays of each month set aside by law for signing up new voters, the courthouse room for that purpose will be as empty as it has been for the past year.

Wheeler Dyson of Tuksegee, chairman of the three-member registration board appointed by state officials Nov. 25, said the board will not function and did not know when operations will begin.

STILL UNDECIDED

Dyson and the other appointees, Everette Story of Tuskegee and S. S. Still of Hardaway, all reiterated they still had not decided whether they will accept the posts as voter registrars.

No new voters have been registered in Macon County, where Negroes outnumber whites nearly six to one, since this time last year. Three other registrars appointed in July refused to serve, giving reasons of Negro pressure and federal intervention.

The last county board dissolved last December when one member died and the other two resigned after the U.S. Civil Rights Commission began probing Negro voting complaints in six Alabama counties, including Macon.

SEEKING ORDER

A suit was later filed by the Justice Department seeking a federal court order to prohibit discrimination against qualified Negro voter applicants in the county.

U.S. Dist. Judge Frank M. Johnson Jr. dismissed the action, ruling that the resignation of registrars E. P. Livingston and State Rep. Grady Rogers left the government no one to sue.

Macon Board Of Registrars Fails To Meet

By FLORENCE SLATON
Advertiser Correspondent

TUSKEGEE — The first meeting day of the newly appointed Macon County Board of Registrars passed without an appearance by the three members.

The registrars said Tuesday they still are undecided on whether they will accept the appointments. Monday, the day set by law for a session of the board, there were a number of Negroes in an around the courthouse, but it was not known if they were seeking to register as voters.

Wheeler Dyson and Everette Story, both of Tuskegee, and S. S. Still of Hardaway all said Tuesday they had "come to no conclusion" on accepting or rejecting their appointment to the board in this county where Negroes outnumber whites nearly six to one.

Under state law, the registrars are to meet the first and third Mondays of each month to receive applications.

MACON County hasn't had a functioning board of registrars since last December when one member died and two others quit. A board appointed in July refused to accept the job.

In Dallas County—

Voter registrars may find quitting blocked

BY REX THOMAS
Associated Press staff writer

SELMA, Ala., Nov. 16—(AP)—If a new FBI investigation results in a federal court suit in Dallas County, election officials may find themselves barred even from resigning to keep from registering Negro voters.

Justice Department officials who ordered federal agents back into the West Alabama county to check again on complaints of discrimination have refused to discuss the possibility of an injunction suit.

But similar complaints that Negroes were denied the right to vote because of their race brought a suit in Macon County nearly a year ago.

THE CHAIRMAN of the Dallas County Board of Registrars, J. L. Tackett of Marion Junction, says he "wouldn't be surprised" to see a companion suit filed in this county where Negroes outnumber whites nearly 2-1.

Only about 520 of them are registered to vote compared with an estimated 8000 white voters.

Dallas was one of six counties where U. S. Civil Rights Commission agents looked into complaints from rejected Negroes last year. But grand juries impounded registration records in Dallas and four other counties to keep them out of the hands of the inquiring commission investigators.

Gov. John Patterson disclosed two weeks ago that FBI agents were back in Dallas checking into Negro registration.

ONLY IN MACON did the Justice Department file an injunction suit in the wake of the inquiry last year. It was thrown out of court because one registrar had died and the other two had resigned, and consequently, there was no one left to take action against. The government insisting among other things that the registrars had no right to resign, has appealed to the Supreme Court.

Alabama law says registrars, appointed for four-year terms, "may hold office . . . until their successors are appointed." The Justice Department argued that "may" in this instance means "must."

U. S. Dist. Judge Frank M. Johnson Jr., who heard the case, ruled that the registrars in Tuskegee had a legal right to quit. But Johnson added this warning:

"NOTHING IN THIS opinion should be construed to mean that this court sanctions or will sanction the proposition that registrars are free to resign at will, indiscriminately and in bad faith, and thereby cast off all of their responsibilities and obligations as such officers."

Dallas County is in the South Alabama Federal Court District and Johnson has no jurisdiction. His statement would have no binding effect on Judge Daniel H. Thomas, but it might be persuasive.

ALABAMA ADOPTS NEGRO VOTE CURBS

MONTGOMERY, Ala., Nov. 20 (AP)—Bills designed to curb Negro voter registration were signed into law today by Gov. John Patterson.

However, the Governor withheld action on two racially inspired measures aimed at using state funds to put youths in private schools as a safeguard against compulsory integration.

Some educators were said to be urging the Governor to bypass the two bills by a pocket veto.

The approved measures give registration boards the right to do the following:

¶Use twelve days a year for clerical work, thus reducing the number of days available for registration.

¶Spend up to twenty days in every even-numbered year visiting precincts in the country. Registrars are already required to visit each precinct at least once in odd-numbered years.

When registration officials are visiting a precinct, only the residents of that political subdivision can apply for registration. Thus, the board could spend all twenty days in a precinct where white residents predominated, and further limit the time available for considering Negro applications.

Except where registration periods are fixed separately by special law, most boards spend about fifty-eight days accepting applications from prospective new voters.

Absentee Voting Bill Made Law

Measure On School Scholarship Funds Still Left Unsigned

Gov. John Patterson signed a new absentee voting bill into law Saturday but when he left his office his signature was still missing from a controversial private school measure.

The school bill, sponsored by Rep. Sam Nettles of Wilcox, would permit the use of state funds in making scholarship grants to students desiring to attend private non-denominational schools.

Unless the bill is signed by Sunday midnight it will die by pocket veto. Patterson indicated Friday that was the probable fate of the bill, which has attracted vigorous opposition from school officials.

HALT ELECTION ABUSES

The new absentee voting law was drafted in an effort to bring to a halt election law abuses which have plagued absentee boxes for years.

Under the new plan any voter desiring to vote absentee must make his intentions known in advance and must convince the Board of Registrars that he should have that right.

Once the voter has registered in the absentee box he must vote there or not at all as his name will be stricken from the poll list at his regular voting place.

ASSESSMENT ON CARS

Also signed by Gov. Patterson was a bill which is aimed at setting up a uniform system for the assessment of automobiles for tax purposes. At the present time many counties fix a much lower value on cars than do other counties, even though the vehicles are the same make, model and value.

Patterson also approved three other local bills during his office work Saurday. Two related to Jefferson County, the other to Madison.

Another general bill still unsigned in addition to the Nettles' school proposal is a measure which would require the cleaning of public cemeteries in the state by convict labor and Highway Department equipment.

Court facing vital decision in Macon case

MONTGOMERY, Ala., Nov. 17—(AP)—Can county voter registrars legally resign while civil rights agents are investigating Negro complaints of discrimination, or when a federal suit is threatened?

Answers to these questions—crucial in heavily Negro-populated counties—probably will come when the U. S. Supreme Court rules on an Alabama case it has agreed to review.

THE TRIBUNAL is studying two lower court rulings that the Justice Department cannot make the State of Alabama responsible for the acts of registrars in Macon County.

But the case also focuses on the disputed right of voter registration officials to quit under fire. Federal attorneys claimed that the two registrars who resigned did so illegally.

They cited a state law which says registrars, who serve four-year terms, "may" hold office until their successors are named. "May," they argued, actually means "must."

The Justice Department suit, which seeks an injunction to insure equal voting rights for Macon County Negroes, was thrown out of court by U. S. Dist. Judge F. M. Johnson Jr.

JOHNSON DISMISSED the case because no registrars were left to function in Macon County, holding that the 1957 Civil Rights act empowers the government only to act against persons and not against the state.

When the Fifth U. S. Circuit Court of Appeals upheld the Montgomery jurist, the Justice Department appealed to the Supreme Court. The tribunal agreed yesterday to review the case.

Johnson ruled that the Macon registrars, State Rep. Grady Rogers and E. P. Livingston, resigned legally even though they quit in the face of an investigation by the U. S. Civil Rights Commission.

He did warn, however, that "nothing stated in this opinion should be construed to mean that the court sanctions or will sanction the proposition . . . that registrars are free to resign at will, indiscriminately and in bad faith, and thereby cast off all their responsibilities and obligations as such officers."

ROGERS AND LIVINGSTON, one elected to the Legislature and the other appointed to another board, contended they could not legally remain registrars and perform the other duties.

The federal government charged they had no legal right to resign until their successors were appointed, but if so, the state could be held responsible for guarding against anti-Negro discrimination.

Absentee Vote Bill Facing Pocket Veto

Strong opposition from within the ranks of organized labor has placed in jeopardy a bill approved by the Legislature which would make a major revision in the state's absentee voting law.

Gov. John Patterson disclosed Friday he had not signed the absentee bill, adding that railroad workers were particularly concerned about the effect of the bill on their voting rights.

The bill would require voters to register in advance as an absentee voter and once they had so registered would be stricken from the regular voting list.

TO END VIOLATIONS

Sponsored by Sen. L. K. Andrews of Bullock, the bill is aimed at bringing to an end the election violations which have been noted in absentee boxes in the past.

It is but one of 15 bills which remained unsigned Friday night when Gov. Patterson left his office. He has approved more than 250 other bills which passed the legislature on the final day.

The unsigned 15 must be approved by Sunday midnight or die by pocket veto. Patterson plans to work again Saturday on the unsigned bills. Most of these are local bills but several are of statewide application and include:

A bill to require the Highway and Prison Departments to clean cemeteries; a measure to require the uniform assessment of automobiles for tax purposes in all counties; a bill relating to the motor fuel tax on motor vehicles, sponsored by Rep. Bill Nichols of Talladega; a bill to authorize the Agriculture Department to contract for insurance protection for its employes.

Bills signed Friday night before the governor departed for the Robert E. Lee-Ramsay High football game were:

S357—designating the Alabama Cattlemen's Assn. as the legal agent to represent and regulate

H424—a revision of the state Farm-to-Market Road Act.

S285—a bill amending the state law relating to general contractors.

POCKET VETO

The governor disclosed that he would definitely pocket veto two bills—one local and one general.

A local bill relating to the Mobile library system will die as an identical measure has already been enacted into law.

The general bill to die Sunday midnight is a measure relating to the penalty for fraudulent claims under Workmen's Compensation. Patterson said this was one of a package of eight bills, the other seven having died in the Senate. He said this made the one bill of no value.

Earlier in the day Gov. Patterson signed into law two bills specifically drafted to discourage Negro voter registration in the state.

Both measures reduce the number of days registration boards are required to take applications from prospective voters.

One of the measures will allow registrars to spend 12 meeting days a year in clerical work and during those days to consider no voter applications.

The other new law permits registration boards to spend 20 days in every even-numbered year visiting in the various precincts in the county. No one but residents of the precinct can apply for registration while the board is visiting there. This means the registrars could spend all 20 days in precincts where there are relatively few Negro residents.

In other action Friday, Patterson signed into law a measure giving federal income tax relief to cigarette smokers. The new law specifies that the state's six-cents-per-pack tax on cigarettes is a consumer levy, thus making it deductible from the federal income tax.

Also signed was a bill which would require any person or group bringing a suit against the state to list the names of any other groups or individuals contributing money to help finance the suit.

Among the other bills signed into law by the governor during the day were:

A bill tightening up state law's regulating the sale of securities in Alabama.

A measure to allow cities to buy voting machines without a special legislative act or a voter referendum, and to issue bonds or interest-bearing warrants to purchase the machines.

Two local bills creating additional circuit judgeships in the Tuscaloosa and Mobile circuits. The new judge in Tuscaloosa will handle domestic relations cases.

A bill setting up a five-man legislative committee to investigate the oil and gas industry in Alabama to ascertain if monopolies exist.

A measure allowing single shot voting in the election of presidential electors. In the past, election machines voided ballots in which the voter failed to vote for the exact number to be elected.

A bill creating a State Tenure Commission to which discharged school teachers must appeal before going to court.

A measure giving the State Library Board more authority in the selection of a library service director.

A bill appropriating $50,000 to remodel the cafeteria in the Capitol; also to re-wire part of building.

A measure creating the post of chief engineer in the Highway Department, fixing salary at $12,000 a year. This post will be filled by R. D. Jordan.

A bill making several major amendments in the state cosmetology law.

Court To Hear Vote Denial Suit

Arguments on a government appeal in the Macon County vote denial suit will be heard by the U.S. Supreme Court in mid-January. The court announced the date in Washington Tuesday.

The federal government has appealed a ruling by U.S. District Judge Frank M. Johnson here that the Civil Rights Act does not permit the federal government to sue a state for denying Negroes the right to vote.

Johnson ruled that the state could not be made a party to such a suit. Later the other defendants—the Macon County registrars—were dismissed from the suit on their contention that they had resigned.

Cotton Referendum Committees And Polling Places Named In County

Committees of farmers who will be responsible for conducting the cotton marketing quota referendum throughout the county on December 15 were announced today by the Macon County Agricultural Stabilization and Conservation Committe. All committee members are farmers eligible to vote in the referendum.

Arrangements have also been completed for establishing polling places in all of Macon County's eleven cotton-growing communities. Notices showing the date of the referendum, the rules governing eligibility to vote, and the location of polling places have been posted in conspicuous places in the county.

T. R. Cunningham, chairman, Macon County ASC Committee, points out that "eligible" voters in the December 15 referendum are all persons who, as landlords, tenants, or sharecroppers, engaged in the production of upland cotton in 1959. Any questions about eligibility should be checked in advance with the County Office.

The community polling places and the referendum committeeman serving in the Decemer 15 poll are as follows: Beat 1—Courthouse, C. E. Story, chairman, C. E. Craft, J. T. Morgan; Beat 2—Youngblood's Store, R. M. Plant, chairman, Edgar Johnson, J. C. Johnson; Beat 3—Sistrunk's Store, Society Hill, Henry A. Torbert, chairman, Bobby Walters, Kelly Sistrunk; Beat 4—Spratling's Store, J. H. Daniel, chairman, Joel Lawrence, R. H. Lawrence; Beat 5—Eich's Store, Fort. Davis, Madison Davis, chairman, Foster Eich, R. M. Hall, Jr.

Beat 6—Copeland's Store, J. F. Moorer, chairman, Mrs. Vauntia Johnson, Dave Johnson, Jr.; Beat 7—Shorter Grocery, F. C. Thompson, chairman, O. G. Pinkston, Jr., J. E. Jordan; Beat 8—Franklin Clubhouse, W. A. Reynolds, chairman, Frank Sears, T. G. Cox; Beat 9, Box 1—Town Hall, Notasulga, Jim Weldon, chairman, W. B. Rea, Sr., Bill Johnson; Beat 9, Box 2— Hunt's Store, L. M. Bryant, chairman, J. H. Harris, S. S. Humphries; Beat 10—B. O. Dukes' Store, Billy Mac Segrest, chairman, Richard Carr, V. D. Martin.

Negroes Plan Institute On Registration

A workshop on voter registration will be featured at the Institute of Non-Violence and Social Change on the fourth anniversary of the beginning of the Montgomery Negro bus boycott tomorrow.

The institute is sponsored by the Montgomery Improvement Assn., which spearheaded the year-long protest against segregated city buses in Montgomery.

One of the featured speakers will be Septima Clark, of the controverial Highlander Folk School at Monteagle, Tenn., which has been under fire by the Tennessee Legislature.

Other speakers at tomorrow's 9 a.m. session will be Mrs. Ella J. Baker, executive secretary of the Southern Christian Leadership Conference, Atlanta, Ga.; Rev. Matthew D. McCollum, member of the SCLC executive board, Orangeburg, S. C., and Earle Davis, official of the AFL-CIO, Chicago, Ill.

Mrs. Baker will speak to members of the voter registration workshop, while Rev. McCollum will discuss the role of non-violence in attempting to eliminate racial discrimination in the South.

The Rev. Martin Luther King Jr., president of MIA, said the SCLC will hold its annual board meeting in Birmingham Tuesday.

TWO REGISTRARS QUALIFY FOR TALLADEGA POSTS

Two new voting registrars for Talladega County have qualified and the third is expected to do so, it was announced at the Probate office Tuesday.

Named to the posts by state officials on Nov. 23 were Hugh Shaw of Talladega Rt. 2, Lamar Miller of 305 Coosa Pines Drive, Childersburg and Mrs. Monk Riley of Sylacauga. Their terms run to Sept. 28, 1963.

Mr. Shaw and Mr. Miller have qualified by filing the designated oath with the probate judge and officials say they have heard no intimation that Mrs. Riley will fail to do so.

The notifications of appointment sent to the three point out that failure to qualify wihin 40 days will vacate the office.

The appointing officials for the state are the governor, the state auditor and the commissioner of agriculture and industries.

Rights Group Head Declines To Comment

Alabama's civil rights advisory commitee chairman Tuesday declined to comment on a statement by Sen. John Sparkman (D-Ala) belittling efforts to organize a commitee in Mississippi.

Sparkman said two days ago in Washington that Mississippians are correct in being suspicious of attempts to organize a state advisory commitee to the U.S. Civil Rights Commission.

Ozark Mayor Douglas Brown, chairman of Alabama's advisory committee, said he would not comment on the remarks.

Sparkman attacked the civil rights commission as stirring up racial strife and then said advisory commitees, such as Alabama's, have no authority and exist in name only.

Mississippi citizens councils are fighting the attempts to form an advisory committee in that state and Alabama's citizen council chairman Sen. Walter Givhan of Safford was queried on his organization's views about the committees.

Women Plan Vote League Session Here

The League of Women Voters will hold its monthly general meeting Wednesday at 9:45 a.m. at the Bellingrath Community Center.

Following the business meeting a report will be given by Mrs. M. Y. Yeoman, Montgomery League president, on the activities of the Alabama State Council of the League of Women Voters which convened in Tuscaloosa earlier in the month.

Of special interest to League members are reports by Mrs. I. Berman, Alabama state president of the League and Mrs. Frank Futrell, state vice president, on the proposed state poll tax bill and other bills relating to election laws, which will be introduced by the Legislature this summer. The League's stand on these issues will be reviewed and reaffirmed.

A coffee will precede the meeting.

400 DISFRANCHISED

Tuskegee Negroes To Appeal Case

TUSKEGEE—Twelve Tuskegee Negroes next month will seek for the third time to force the City of Tuskegee to abandon an act passed by the Alabama Legislature in 1957 redefining the city limits and disenfranchising some 400 Negroes.

The Negroes' intent to appeal the case to the Supreme Court was made known through this week's issue of a publication put out by the Tuskegee Civic Assn., a Negro organization.

Their suit seeks to prevent the City of Tuskegee from enforcing the law which left an estimated 3,000 Negroes—400 of them registered voters—out of the city limits.

Twice previously the suit has been dismissed—originally by the U. S. District Court and later by the U. S. 5th Circuit Court of Appeals.

PLAINTIFFS IN SUIT

Plaintiffs in the suit are Charles G. Gomillion, president of the Tuskegee Civic Assn. and Dean of Students at Tuskegee Institute, and Celia B. Chambers, Alma R. Craig, Frank H. Bentley, Willie D. Bentley, Kenneth L. Buford, William J. White, Augustus O. Young, Nellie B. Jones, Detroit Lee, Delia D. Sullivan and Lynnwood T. Dorsey.

Tuskegee police authorities said Detroit Lee once tried to attend white church services in Tuskegee but was turned away with no disturbance.

NAMED DEFENDANTS

Named as defendants in the suit are Mayor Phil Lightfoot; Macon Sheriff Preston Hornsby; Probate Judge William Varner; Police Chief O. L. Hodnett; city councilmen G. B. Edwards Jr., L. D. Gregory, Frank A. Oslin, Foy Thompson and H. A. Vaughn Jr., and Board of Revenue members E. C. Leslie, Charles Huddleston, J. T. Dyson, F. C. Thompson and Virgil Guthrie.

"As redefined," the original suit stated, "Tuskegee resembles a sea dragon with Negro neighborhoods, including the site of Tuskegee Institute, eliminated from the city boundaries.

"Act 140 is another device in a continuing attempt by the State of Alabama to disenfranchise Negro citizens."

INITIATED BOYCOTT

Shortly after the city limits were redrawn, many Tuskegee Negroes initiated a mass boycott of white merchants which is still felt in the city. About 12 white merchants were forced out of business.

Macon County Negroes outnumber whites by about six to one but white voters outnumber Negro voters by about 1,500. For the past year the county has operated without a Board of Registrars which resigned in the face of a Civil Rights investigation into alleged registration irregularities against Negroes.

Tuskegee Case Appeal Planned

TUSKEGEE (AP) — A suit seeking to put 3,000 Negroes back inside the city limits of Tuskegee will be appealed to the U. S. Supreme Court next month.

The suit, dismissed twice in lower federal courts, would prohibit enforcement of a law which changed the boundaries of Tuskegee and removed about 6,000 Negroes from the city.

The suit contends about 400 of the 3,000 Negroes were voters.

Plans to appeal the suit were announced by 12 Negroes in a report issued this week by the Tuskegee Civic Assn., a Negro organization.

Powell Seeks Federal Voter Board In Ala.

Daily World
Atlanta, Ga.
Wed. 7-1-59
34e

By LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — At the request of the Tuskegee (Ala.) Civic Association, Representative Adam Clayton Powell, New York Democrat, introduced in the House June 24 a bill to set up a Federal Voter Registration Commission where state and county registrar boards become inoperative.

The bill is an outgrowth of colored persons being deprived of the right to register to vote in Macon County, Ala., in which the famous Tuskegee Institute is located.

The Civil Rights Commission held hearings in Montgomery, Ala., in December on the denial to qualified colored persons of the right to register to vote in Macon and other Alabama counties.

Immediately after the hearing on Dec. 10, the two members of the Macon County Board of Registrars, Grady Rogers and E. P. Livingston, resigned. The effect of their resignation was to leave the county without any machinery for the registration of persons to vote.

LONG INOPERATIVE

The board has been inoperative for long periods of time from 1946 to the present for the purpose of keeping colored persons from registering.

In 1958, white citizens of voting age in Macon County numbered about 3,100, while colored citizens of voting age numbered about 14,000.

As of last Dec. 1, white citizens registered to vote in the county numbered about 3,016, or about 97 per cent of the white population of voting age, and the colored citizens registered to vote in the county numbered about 1,110 or about 8 per cent of the colored population of voting age.

Atty General William P. Rogers brought suit under the 1957 Civil Rights Act to prevent the State of Alabama, the Macon County Board of Registrars, and Rogers and Livingston from depriving qualified colored persons of the right to register and vote.

But Federal Judge Frank Johnson dismissed the complaint, holding that the 1957 Civil Rights Act did not authorize suits against states and boards but permits a suit only against individual persons, and since Rogers and Livingston had resigned, they could not be sued. The United States Fifth Circuit Court of Appeals has upheld this decision.

Daily World
Wed. 7-1-59

In a letter to Mr. Powell, William P. Mitchell, secretary of the Tuskegee Civic Association, said his association has tried very diligently to get our state officials (the State Board of Appointments) to appoint a new board, but to no avail."

Local Women Will Attend Voters Meet

Journal
Montgomery, Ala.
Sun. 10-4-59

Two Montgomerians will represent Alabama this week at the seven-state southeastern Conference of the League of Women Voters.

Mrs. I. Berman, president of the Alabama league, and Mrs. R. F. Futrell, legislative chairman for the state, will be in Chattanooga Tuesday through Thursday for the conference.

The meeting will open with a panel of seven state league leaders who will paint a broad general picture of the structure of government, trends and problems, of the states attending the conference. This presentation will focus attention on the possible subject areas where citizen efforts may make a contribution.

Mrs. Berman, representing Alabama, will discuss the relationship of local government to the state, a description of statutory or constitutional home rule, charter choices, political factors which affect city and county government and services and a description of the subject areas available for local leagues.

The league is a non-partisan organization which studies and takes action on all three levels of government.

Mrs. Berman and Mrs. Futrell were briefed last week by Ed E. Reid, executive director of the Alabama League of Municipalities, on possible subject matter pertaining to municipalities.

The Birmingham News On Voter-Registration

Editorial
Birmingham, Ala.
Sat. 8-8-59

In February of this year, The Birmingham News conducted a survey of voter-registration practices in Alabama. Conclusions from that survey were that Alabama needed stricter voter-screening laws, a better-loaded questionnaire, and tighter enforcement.

Commenting August 4 on the report of the Civil Rights Commission, The News concentrates on one of the six counties in Alabama singled out by the Commission as using a double standard of registration.

The News says: "The entire report indicates the need to strengthen Alabama's registration laws. It is clear, too, that a strict voter-registration test is essential. Further, there is a hard need for Alabama registrars to have more than one questionnaire to put before the would-be voter."

Stricter voter-registration laws will not guarantee fairer registration. The News fails to point out that in Lowndes and Wilcox counties where there are more white voters than there are white persons 21 years of age and older that the voter-registration laws are already so strict that no Negro voters are to be found in these two counties which have more Negro residents than white ones. The Commission reveals that there are already "double standards" by which Negro and white applicants for the ballot are screened in Dallas, Barbour, Bullock, Lowndes, Wilcox and Macon counties. Yet the News advocates "more than one questionnaire" for qualifying prospective voters.

Strangely, The News is silent on the matter of fair registration. The daily press could do much to help promote better democracy by championing fair standards of voter-registration which are administered fairly.

As a large metropolitan daily in a promising industrial city The Birmingham News has a freedom stewardship to perform. It has the strength and the duty to take the enlightened view and thus advance forward human relations, good government and inspiring political participation.

The News says that "Candor requires that we say, from reading the report, that there is unmistakable evidence that picayunish details were used by the Mecon County Board of Registrars to turn down some Negro applicants."

Yet The News would apparently remedy such unfairness with new laws so strict that there would be no need to use picayunish details were used by the Macon County Board of sad reading from a powerful daily newspaper which serves a city of the population make up of Birmingham.

The News editorial under discussion here seems to add new significance to the proposal from the Tuskegee Civic Association with respect to a federal voter registration law. The need is clear for such a federal law. There is also a need for placing qualified Negro persons on boards of registrars. Such would symbolize an intent toward fair voter-registration. Stricter laws will not mean fair registration.

Montgomery Walks Again

Campaign For Vote Rights

(Pictures on Page 24)

MONTGOMERY, Ala. — Montgomery's 50,000 Negroes are on the march again. This time they're walking for the right to vote. In December, 1955, they boycotted the city's buses in protest over discrimination. The Rev. Martin Luther King, Jr., led the dramatic "massive" non-violent passive resistance movement that won world-wide applause.

The spotlight was on Montgomery again in December, 1958, when the U. S. Civil Rights Commission held hearings here and a parade of Negro witnesses gave impressive testimony on the methods used in Alabama to deny them the vote.

Today, the same ministers, who with their congregations joined in the historic bus boycott, are leading their people to the registration office in an all-out effort to break down the entrenched opposition to Negro voting participation.

All Groups United

Organized labor, fraternal groups, social clubs, farmers, laborers, domestics, and business and professional people have pitched into the campaign. Said a spokesman: "There isn't any difference. The same crowd that's against labor is against Negroes, civil rights and little people period. That's why they don't want us to have the vote."

To spur the registration drive, recently, a dozen clergymen took off their clerical garb and formed a "shirtsleeve platoon" to ring doorbells in the huge Victor Tulane Housing project an all Negro-occupied dwelling. These included the Reverends King, Robert E. Du Bose, Jr., Church of the Good Shepherd, Episcopal; Ralph Waldo Hilson, St. John AME; E. D. Bell, Revelation Baptist and Mt. Olive Baptist (one of the churches destroyed by bombs); Hillman H. Hubbard, Bethel Baptist; Ralph D Abernathy, First Baptist; Solomon Seay, executive secretary of the Montogmery Improvement Association; B. D. Lambert, Maggie Street Baptist; William J. Powell, [illegible] A.M.E. Zion; H. W. Wilson, Holt Street Baptist; and G. Franklin Lewis, First Congregational church.

Reverend King, who pastors the Dexter Avenue Baptist church, said: "We were most happy to do this important job and we look forward to more of this kind of action to help our people gain the ballot."

Aided By Youth

The ministers were accompanied by members of "Club 21," a new organization of alert young people either approaching or who have already reached 21, the normal voting age. This group is providing a fresh stimulus to the campaign. Eager to vote themselves, they are using all their energy to pound pavements and do a "Paul Revere," job of stirring their elders to go down to the registrar's office time after time.

O. C. Pleasant is the president of this group. The officers include Miss Josephine Bolling, vice-president; Miss Florence McMillan, secretary.

As brought out during the civil rights hearing last December, Montgomery registration officials have gone to extraordinary means to discourage and thwart attempts by Negroes to get on the books.

Prospective Negro voters who go through the tedious process of filling out the long-involved questionnaire which the state requires are either "flunked" repeatedly in the examination or else they never hear from the board as to whether they have passed. Some have applied as many as 15 times. The current registration campaign is the most concentrated undertaking yet to combat the registration hurdle.

Underaker Coordinator

Coordinator of the drive is Rufus "Coach" Lewis, a local undertaker, and former athletic instructor at Alabama State Teachers' college. Reverend S[illegible] is the chairman of the Cent[illegible] committee. Current registration opened in June and will close October 17.

Each church taking part in the campaign has a registration committee. Organizations in the church are divided among the committee members with each church unit responsible to the unit leader for the registration of his particular group. As th[illegible] become 100 per cent registere[illegible], the minister announces it from the pulpit.

The second phase of the program is the door-to-door appeal. In this way, leaders of the registration drive expect to touch every potential Negro voter in the city. The sizable increase of Negro applicants showing up at the registrar's office tells the impact of the campaign. The walls of resistance haven't come tumbling down yet, but the cracks are noticeable.

9 Negroes Here Allege Vote Denial

Advertiser Montgomery Ala. Fri. 7-3-59

By DICK HINES

The filing of sworn complaints by nine Montgomery Negroes will not result in any new federal investigation of alleged denial of voting rights in the state, according to a member of the Alabama Civil Rights Advisory Committee.

Mayor Douglas Brown of Ozark, chairman of the state group, said the United States Commission on Civil Rights "obtained all the information it needed" during hearings held here in December, 1958, and January, 1959.

The sworn complaints received by the advisory committee Wednesday were forwarded to the federal agency. But, according to Brown, they will be used only to corroborate the findings of the earlier hearings in which Negroes from Macon County and five other Black Belt counties complained of voter registration discrimination.

NONE APPEARED

Brown pointed out that the U.S. Commission will pass out of existence in September unless Congress passes a law re-creating it. And Wednesday's meeting of the state group was the last, he said.

Brown said none of the nine Negroes appeared before the state group in person during the hour-long meeting at Maxwell AFB. The sworn affidavits were sent in, he said, and were received and forwarded to Washington without any investigation by the committee.

The chairman said no publicity was given to the meeting before it was held and that most of the hour was taken up by a discussion of his meeting with the U. S. Commission last month.

NAMES WITHHELD

He declined to name any of the nine filing complaints and said that their identities will probably never be made public since no direct federal action will result.

As to possible future service on the advisory committee, Brown commented:

"Even if the Civil Rights Commission is continued, there is no assurance that the members of the present advisory group would continue to serve."

He said he has received little adverse criticism for accepting a place on the committee. On the contrary, he said, many have written letters thanking him for serving.

Macon County Registration Still Stalled

Post-Herald Birmingham, Ala. Tues. 7-21-59

Would-Be Voters Find New Board Failed To Appear

TUSKEGEE, July 20 (AP)—Negroes who hoped the appointment of a new registration board—the first in seven months — would enable them to sign up as voters went away disappointed today.

None of the three newly-designated members of the Macon County Board of Registrars showed up on the first voter registration day since their appointments were announced.

Alabama law sets aside the first and third Mondays of each month for registrars to receive applications from prospective voters.

Nor was there any assurance that voter registration machinery in the county where Negroes outnumber white residents nearly 6-1 would start to function again in the immediate future.

All three newly-appointed board members said they haven't decided whether they will accept the part time jobs.

Chairman Howard Lynn of nearby Notasulga Rt. 1 said he has been busy gathering the cotton crop on his 246-acre farm and has had no time to confer with the other members, J. H. Sadler and John Sullivan of Tuskegee.

Negroes Find Office Vacant

An uncounted number of Negroes drove or walked to the courthouse to see if the board was meeting today. They left immediately when they found the registration office vacant.

William P. Mitchell, secretary of the Tuskegee Civic Assn., which has long campaigned for Negro voter registration, said the efforts will continue. He said the TCA will ask state officials to appoint a new board if Lynn, Sadler and Sullivan fail to act.

Mitchell, who also heads the TCA's voter franchise committee, said Negroes will continue to push for a Federal registration commission to function when the state board fails.

Voter registration for Negro and white applicants alike came abruptly to a halt last December after the Civil Rights Commission started investigating complaints of discrimination against Negroes.

One Dies, Others Quit

One member of the old board died and the other two resigned. No one had been chosen to succeed them until Lynn, Sadler and Sullivan were appointed last Thursday by a board composed of Gov. John Patterson, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Bamberg.

Mitchell said he doesn't know how many Negroes were waiting to register after the eight-month breakdown, but that Macon County has 14,000 unregistered Negroes of voting age, and only 1100 who are registered.

By contrast, he said, there are some 2000 white voters out of a total white population of approximately 5000.

Lynn told the Associated Press he was "not ready to make any kind of a statement." He said he has made no decision on acceptance or refusal of the appointment and "I'm not in any hurry to make up my mind."

Sullivan said he is "still giving serious consideration" but has made no decision whether to serve on the board or turn it down. Similar comment came from the third member. Sadler.

Women's Vote Decline Seen Under Cumulative Poll Tax

Post-Herald Birmingham, Ala. Fri. 5-1-59

BY CLARKE STALLWORTH

The white women of Alabama—not the Negroes—will be hurt if the Alabama Legislature puts the cumulative feature back into the state poll tax.

So said Mrs. R. F. Futrell of Montgomery, legislative chairman of the Alabama League of Women Voters. Mrs. Futrell spoke at a meeting of the Birmingham chapter here yesterday, and outlined the League's legislative program.

The said the League of Women Voters will fight any attempt to put the cumulative poll tax back in force.

"White women will be discriminated against," she said. "You pass this bill, and white women will be slashed off the voting rolls."

She said Sen. L. K. Andrews of Union Springs was introducing the poll tax bill to stop Negroes from registering, "but it's going to backfire on him."

Under present law, poll tax is $1.50 a year, and a voter can never owe more than $3. Under the old law—which some legislators are trymg to bring back—the poll tax could mount up. A person 45 years old, who had never paid poll tax, would have to pay $36 in order to vote.

Mrs. Futrell also said the bill now offered is retroactive. For instance, if a 45-year-old woman paid her poll tax for the first time in 1954, she would have paid $3 and would be a registered voter now.

Under the proposed change back to the cumulative feature, Mrs. Futrell said this voter would have to pay $36 in order to vote. The poll tax would be charged for all the years she didn't pay it.

Mrs. Futrell offered figures from Madison County and Henry County to show that there was no great Negro registration after the cumulative feature was knocked out of Alabama law in 1953.

For instance, she said, after the $3 maximum was enacted, Negro registration in Madison County rose 1.6 per cent. During the same period, registration of women rose 10 per cent.

In Henry County, she said registration of white people far outweighed that of Negro voters.

Mrs. Futrell said the League will push for legislation which would set up certain qualifications for registrars in Alabama.

She said she had been promised support for a League bill to reidentify voters in the state. This bill, she said, would provide for a system of records for the registrars, for county governing bodies to furnish registrars with maps of voting preciencts, provides for a procedure whereby people stricken from the voting lists son be re-instated, and a system requiring boards of registrars to record transfers of voters.

She also said the League will back efforts to put voting macines into use throughout the state.

Tred Tuskegee Negroes press for vote bill

News Birmingham, Ala. Wed. 7-15-59

TUSKEGEE, Ala., Junly 15—(AP)—Seven months without a board to register new voters has led Tuskegee Negroes to urge Congress to create a federal voter registration commission.

Angry at the local situation, the pro-integration Tuskegee Civic Assn. sent 33 congressmen copies of a bill to form a registration agency to step in 30 days after a local board ceases to operate.

The group's secretary, William P. Mitchell, said yesterday 17 of the congressmen had replied. They promised to consider the measure carefully, he said.

NO REGISTRATION board has functioned in heavily Negro-populated Macon County since last December. Its two members quit shortly after the U. S. Civil Rights Commission investigated alleged denial of Negro voting rights.

Mitchell said "it's not true" that Gov. John Patterson cannot find anyone to serve, as the governor has said, and has not appointed a new registration board in Macon County for that reason.

"I know of eight people, both colored and white, who have asked to be appointed," he said, adding:

"Since the present administration's first day in office and every Monday since then we have petitioned the governor to appoint us a board. He has not yet replied."

THE PROPOSED federal commission could both register qualified voter applicants and investigate—with summons power—local situations where no board had been functioning.

Still no board—

Macon 'registrars' refuse to serve

BY TRUDY CARGILE, News staff writer

MONTGOMERY, Ala., July 23—Three newly-appointed members of the Macon County Board of Registrars have refused to serve.

Gov. John Patterson said today he had received letters from the three stating they had "decided to decline the appointments" as Macon's voting officials.

The action leaves the county, where Negroes outnumber white residents nearly six to one, still without a functioning board to register new voters, white or Negro.

No board has held office since last December, when two remaining registrars resigned in the face of an investigation by the U. S. Civil Rights Commission.

Members tendering resignations were Chairman Howard Lynn of Notasulga Rt. 1, John N. Sullivan and J. H. Sadler of Tuskegee.

LYNN SAID:

"After careful consideration and in view of the fact that the board would most certainly be harassed and hounded by the U. S. Civil Rights Commission continuously and without letup, as well as by other federal agencies and in view of the unreasonable publicity which has attended this appointment, I respectfully decline to serve at this time."

Sullivan's letter stated: "After considering and learning that the suit against E. P. Livingston and Grady Rodgers is still pending in federal court, I have decided not to accept the appointment."

Livingston and Rodgers are the most recent members of the Macon County board. Each resigned after pressure by the Civil Rights Commission. Rodgers now is serving as state representative from Macon County. He resigned also to make the race for the Legislature.

Sadler stated in his letter of resignation that "because of unwanted publicity attracted by this post and the possibility of further harassment by certain commissions, I regret to inform you that I cannot accept the appointment."

ALL THREE letters were addressed to the three members of the appointing committee — Gov. Patterson, Mrs. Mary Texas Hurt Garner, state auditor, and R. C. Bamberg, commissioner of agriculture and industry.

In releasing the text of the letters, Gov. Patterson made this statement:

"I certainly recognize the need of having a fair-minded board of registars in each county of the state. We members of the appointing board have tried and are still trying to find competent citizens of Macon County to serve on the board of registrars.

"Our job is difficult because of the unwarranted harassment by the federal government and particularly the Civil Rights Commission. It is hard to ask a man to subject himself to this treatment as the previous boards of registrars have experienced in the past at the hands of the federal government."

An undetermined number of Negroes showed up to register Monday, the first registration day after the board's appointment was announced. But none of the three members was present.

Negroes have said they will try to get the federal government to set up a registration commission unless the state machinery can be put into operation.

Alabama's Ugly Record

The floodlight of adverse publicity has again been turned on Alabama. The report of the Federal Commission on Civil Rights shows that Alabama led in racial vote denial complaints. The Commission reported 119 of the 310 complaints it received came from Alabama.

This 119 vote denial complaints are possibly only a fraction of the potential. In two Alabama counties, Lowndes and Wilcox, there is total disfranchisement of Negro citizens. In Bullock County, also with a majority of Negro residents, there are only five Negro voters. In most of the 67 Alabama counties there is hardly more than token voting, when one considers the potential.

Meantime spokesmen for the White Citizens Council have urged Gov. John Patterson to hurry and name members of Boards of Registrars who will halt even the slow trickle of registration of Negro applicants as voters. The stated goal of the WCC is the rigged disfranchisement of qualified Negro citizens. In such a goal, the WCC would seem to be challenging the federal government whose duty it is to guarantee, protect, and assure the right of qualified persons to vote regardless of section, race, or politics.

Yet there is still much which Negro would-be voters can do. They can present themselves for voter-registration, ask their federal government to protect them against racial discrimination, expose unfair refusals, and begin a pocketbook campaign for a new type of economic power. Even in Lowndes and Wilcox counties Negro citizens could vote should they be willing to pay the price no matter how stiff the price and painful the suffering.

There is clearly a demonstrated need for making the 15th Amendment a performing reality. Alabama has the duty no less than the federal government in this respect. Hence Gov. Patterson should furnish the inspiration and leadership of seeing that qualified applicants are registered in every county.

Alabama Board Ducks Negro Registration

TUSKEGEE, Ala., July 21 (AP).—An undetermined number of Negroes, hopeful of being able to sign up as voters, appeare dat the Macon County Courthouse yesterday, but went away disappointed because the newly-appointed registration board failed to show up.

Alabama law sets aside the first and third Mondays of each month for registrars to receive applications from prospective voters, but the new three-man board—the first in seven months—failed to put in an appearance.

Nor was there any assurance that voter registration machinery in the county where Negroes outnumber white residents nearly 6 to 1 would start to function again in the immediate future.

Members 'Undecided'

All three newly-appointed board members said they are undecided as to whether they will accept the part-time jobs.

Chairman Howard Lynn of nearby Notasulga Rt. 1 said he has been busy gathering his cotton corp and has had no time to confer with other members, J. H. Sadler and John Sullivan of Tuskegee.

William P. Mitchell, secretary of the Tuskegee Civic Association, which has long campaigned for Negro voter registration, said the efforts will continue. He said the TCA will ask State officials to appoint a new board if Mr. Lynn, Mr. Sadler and Mr. Sullivan fail to act.

Seek U. S. Action

Mr. Mitchell, who also heads the TCA's voter franchise committee, said Negroes will continue to push for a Federal registration commission to function when the State board fails.

Voter registration for both Negro and white applicants came to a halt last December after the Federal Civil Rights Commission started investigating compaints of discrimination against Negroes.

One member of the old board died and the other two resigned. Their successors were appointed last Thursday.

'Bama Governor Challenges FBI

Jackson Daily News

Urges Vote Officials To Balk At Probe

Jackson, Miss.
Fri, 10-30-59

MONTGOMERY, Ala. (AP)—FBI agents, renewing a civil rights inquiry into Negro voting complaints in Alabama, likely face the same bitter resistance as earlier federal probers.

Signs of more federal versus Alabama struggling came yesterday from Gov. John Patterson, who disclosed federal agents had launched an investigation in densely Negro-populated Dallas county.

Urging voter registrars to refuse any cooperation, he warned: "We will fight them (agents) at every turn. They will find it uphill and hard going all the way."

Dallas County is one of six south Alabama counties where the U.S. Civil Rights commission—encountering defiance from start to finish—looked into Negro voting complaints late last year.

The federal agency had to resort to court injunctions and stern threats of penalties to gain access to any voter registration records, and a Justice Department suit is now before the U.S. Supreme Court.

Carrying on the current probe into alleged discrimination against would-be Negro voters are local FBI agents, under orders from the parent Justice Department's civil rights division.

Confirmation that FBI men rather than civil rights commission agents are handling the new Dallas County inquiry came from investigators and from Washington officials last night.

"There are complaints in Dallas of the Justice Department's civil rights division.

FBI agents made an apparently preliminary visit Wednesday to the predominantly Negro county where about 200 Negroes are registered voters as compared with some 8,000 white persons.

The chairman of the Dallas County registration board, J. L. Tackett, said two FBI men came to his home in Marion Junction, but "I didn't ask them any questions and they didn't ask me any."

Tackett said the investigators stayed only a few minutes. Negro voting wasn't discussed, he said, except that the agents advised him they were looking into Negro complaints of discrimination.

"I'm not worried a bit about the investigation," said the registrar. "I think the board treated everyone fairly, regardless of color."

Last year Civil Rights Commission agents probed Negro charges they were denied voting rights because of color in Dallas, Barbour, Macon, Wilcox, Bullock and Lowndes counties. All have few Negro voters.

Dallas County is in west central Alabama. The county seat, Selma, is 50 miles west of Montgomery.

Vote Fraud Trials Delayed As Officials Launch Probe

The Montgomery Advertiser
Montgomery, Ala.
Sept 25-59

ANDALUSIA, (AP) — Vote fraud trials were postponed Thursday while state and local investigators look into reported intimidation of witnesses.

Atty. Gen. McDonald Gallion sent special agent Joe Malone to this South Alabama city to aid in the probe.

Circuit Sol. Joe Breck Gantt, who requested the state investigative help, said evidence of witnesses being influenced will be turned over to the Covington County Grand Jury convening next month.

EXPLOSIVE TESTIMONY

Trial of Thad Gomillion of the nearby Brooks community, indicted along with 15 others for alleged irregularities in the Democratic primaries last year, was under way when the explosive testimony came Wednesday.

A state witness, Stevie Wright of Red Level, first testified that Gomillion, wealthy landowner and nightspot operator, gave him $5 after he had voted an absentee ballot.

Later, however, Wright told the jury he "was scared" into signing a statement that Gantt and three others had offered him money if he would say he sold his vote to Gomillion. He admitted that the solicitor never made any such offer.

When Wright left the stand the vote-buying charge against Gomillion was dropped at Gantt's request pending investigation of intimidating a witness.

Gomillion still faces four other vote-buying charges, plus three counts of getting fraudulent absentee votes. The solicitor said Gomillion probably will be tried during the November term of court.

Two defendants had already pleaded guilty early this week when Circuit Judge Murland Smith postponed trial of 11 of the accused until November. Trials of Gomillion and two others scheduled this week were postponed indefinitely.

Agents Investigate Voting Complaints In Alabama Again

Montgomery Advertiser
Fri, 10-30-59

MONTGOMERY, Ala. (AP) — Gov. John Patterson disclosed Thursday that Federal Civil Rights Commission agents are investigating Negro voting complaints in Alabama again.

Patterson told reporters he was notified two days ago that federal agents have reopened investigation in Dallas County, one of the six south Alabama counties where the commission looked into complaints from Negroes nearly a year ago.

The governor said he had not talked to members of the voter registration board in that county, but his advice generally to registrars throughout the state is to refuse to cooperate in any way.

The governor said the notice came to him from the FBI agent who told him merely that FBI men and commission officers had gone to Dallas County to reopen the investigation.

J. L. Tackett of Marion Junction, chairman of the county registration board, said two FBI agents came to his home Wednesday but that he saw no commission agents nor was the commission mentioned.

He said the agents told him they were investigating "alleged discrimination" and "violation of civil rights" under orders of the acting U.S. attorney general.

"I didn't ask them any questions and they didn't ask me any," said Tackett. He added that voting was not discussed during the "three or four minutes they were here."

Patterson was visibly upset as he discussed the investigation with newsmen. He accused the Eisenhower administration of reopening the investigation "in an attempt to get votes for Nixon from minority groups in the North."

He referred to the 1960 presidential election in which Vice President Nixon is a potential candidate for the GOP nomination.

Patterson said federal intervention is doing more than anything else to break down relations between the federal and state governments.

"Instead of coming down meddling in our affairs," the governor declared angrily, "I think they could better spend their time investigating race riots and muggings in New York where it isn't even safe to go out on the street.

"They ought to see Gov. (Nelson) Rockefeller. He knows more about race riots than I do."

House Okays Macon Bills On Voting

Montgomery Advertiser
Montgomery, Ala.
Sat, 10-24-59

House members unanimously approved two bills Friday designed to help the Macon County Board of Registrars function without undue pressure from Negro voter applicants.

And the legislators gave the sponsor, Rep. Grady Rogers, a former registrar in Macon County himself, a round of applause after he explained the bills and walked back to his seat.

Rogers, a target of a federal court suit which grew out of an investigation by the U. S. Civil Rights Commission, told his colleagues the legislation was needed so that his country could "live with honor."

If the bills to reduce the number of days Negroes can apply for voting don't become law, he said, "very likely I will be the last white man to represent our county in this house."

New Dallas Vote Probe

The Montgomery Advertiser, Montgomery, Ala.

Reported By Governor

Adv. 10-30-59.

FBI Agents P.I. Investigating Alleged Ills

By BOB INGRAM

Gov. John Patterson revealed Thursday that the federal government has launched a new investigation in Alabama of the alleged denial of voting rights to Negroes. He said the probe was now in progress in Dallas County.

There was some confusion as to who was making the investigation. Patterson said it was a joint effort of the Civil Rights Commission and agents of the Federal Bureau of Investigation.

But the chairman of the Dallas County Board of Registrars, M. L. Tackett of Marion Junction, said he had been approached only by FBI agents, representing the acting attorney general of the Justice Department. He said he knew nothing of the Civil Rights Commission's participation in the case.

LITTLE DIFFERENCE

Patterson said later that as far as he was concerned there was little difference between the Civil Rights Commission and the Civil Rights Division of the Justice Department. He described both as "creatures of the Executive Department."

(A spokesman for the Civil Rights Commission in Washington said Thursday night that none of its agents had investigated any complaints in Alabama recently.)

Another federal official also indicated that the only agency involved is the FBI.

Joseph M. F. Ryan Jr., acting assistant attorney general for civil rights, told the Associated Press:

"We've had that case down there as an open case. There are complaints in Dallas County and we've asked the FBI to investigate. The timing and mechanics of the investigation are up to the FBI. We don't tell them how to do their business."

Tackett said he was informed of the probe Wednesday when two FBI agents from Montgomery visited him at his home.

"They said they were investigating alleged discrimination in voting and violation of civil rights," Tackett said. "They said several complaints had been received from Dallas County."

Tackett said the agents told him they were acting under orders of "the acting attorney general" and it was "the policy of the FBI to let a person know he was being investigated."

Tackett added that the agents told him they would not call on the other two board members — Mrs. Ruth Horn of Selma and J. P. Majors of Safford — since they had notified the chairman.

"I didn't ask them any questions and they didn't ask me any," Tackett continued. "I'm not worried a bit. We did what we thought was right."

He said there were about 200 registered Negro voters in Dallas County compared with 7,500 to 8,000 white voters.

"I think the board has treated everyone fairly, regardless of color," Tackett added.

DON'T COOPERATE

The governor, angrily discussing this latest entry of the federal agency into Alabama, called on all public officials "not to cooperate with any of them in any way."

"They have no right to be intimidating and harassing our officials," Patterson declared. "They are creating a breach between the races in Alabama. They will get no help from me in any way.

"We will fight them on every turn, we will fight them every way we can," he continued. "It is going to be an uphill fight for them all the way."

Patterson branded this latest move by the Civil Rights Commission as "politically inspired."

"I understand Mr. Ryan (Joseph M. F. Ryna, head of the Civil Rights Division of the Justice Department is directing this investigation," Patterson said. "He is probably mad because he took a licking the last time he was down here."

Ryan was the chief counsel for the Justice Department in the Macon County case in which Alabama's position was upheld in Federal Court.

WORST THING POSSIBLE

Patterson termed this latest move by the federal agency "the worse thing they could possibly do."

"We are already having trouble getting people to serve on the boards of registrars now, and this will just make it more difficult," he said.

"They are just trying to make examples of us for political reasons," he said. "They think they will get some votes for Nixon from the minority groups by doing this."

"We don't need them in Alabama. Everybody is getting along fine, things are peaceful, everybody is satisfied and we have a good school program for both races," Patterson continued. "I think those agents better spend their time and money investigating the race riots and muggings in New York and Chicago rather than in Alabama. They ought to talk to Gov. Rockefeller of New York, he knows a lot more about race riots than I do."

Patterson said he regretted that the FBI had been brought into the investigation.

"I hate to see them thrown into a race-baiting investigation, this represents a departure from the usual operation of the FBI," Patterson said. "It will ruin them if they aren't careful."

The governor said he had not yet talked with the members of the Dallas board of registrars but admitted he had been in conference with other officials in that county. He declined to identify such officials.

Asked if he planned to send any representative from his office to Dallas County, Patterson said he would if he felt it necessary.

He added that he might ought to send someone to watch out for the investigating agents.

"The people resent them so much they need protection," Patterson added.

Officials Not Worried About Gov. Patterson

Atlanta Daily World

Sat. 10-31-59

WASHINGTON — (UPI) —The Justice Department and the Civil Rights Commission Friday declined to get excited about Alabama Gov. John Patterson's criticism of "interference from Washington" in the investigation of Negro voter complaints.

A spokesman for the Civil Rights Commission said it had an investigator in Dallas County, Ala. for a full week but that he has now returned.

"When the investigator came to Alabama, he saw the attorney general," the spokesman said, "and was greeted even cordially."

"He also talked to Ed Strickland who is on the governor's staff and a personal friend, so we assume that Patterson knew our investigator was there," the spokesman said.

The commission noted it must investigate any sworn complaint and that it was continuing to receive complaints from Dallas County.

Joseph Ryan, acting head of the Civil Rights Division of the Justice Department, said his office has several investigators in Alabama and also in other southern states.

He said Patterson's order to Alabama officials not to cooperate with investigators wouldn't hamper operations because "they haven't cooperated too much so far."

Whips through calendar—

State Senate approves voting laws revisions

MONTGOMERY, Ala., May 20— The Alabama Senate, acting on numerous bills in a peppy salute to 8 lulls in filibustering, has recommended wide changes in changes in state election laws.

Working with new enthusiasm in the wake of earlier stalling tactics, the Senate whipped through a 12-page calendar Tuesday, passing bills to stiffen the punishment for buying votes and to abolish the penalty for selling votes.

Measures also were approved to forbid payment of poll taxes for anyone except relatives and to require city recorders court to report convictions that can disqualify a vote. Most courts already must do so.

Two other election bills of a more controversial nature—one to abolish absentee voting and the other to limit it to service men—were carried over for consideration later.

SPONSOR OF THE anti-vote buying bill, Bullock Sen. Lawrence K. Andrews, said the purpose of the measure is to gain conviction of more vote-buyers by removing the penalty for vote selling.

With no danger of being punished, he explained, anyone who sells a vote would be more willing to testify against the person who buys it.

He said convictions have been scarce in the past because "you don't have any witnesses to go to court with."

Andrews said the Senate-approved bill, which sets a one-year minimum jail term for vote-buying or attempts, will go a long way toward curbing the practice since the courts will have more testimony.

SPONSORS SAY the bill to limit paying of poll taxes to family members is aimed at restricting Negro voting because some of them cannot or will not pay the poll tax themselves.

The other recommended voting measure will enable county boards of registrars to disqualify some voters whose convictions aren't being reported by city recorder courts.

ANOTHER SENATE-passed bill sent to the House would allow cities to levy a license tax on small loan firms. Present law limits the licenses to cities which had one in effect before 1951.

Still another measure approved by the Senate would save the jobs of city officials victimized by a change of government form. It would delay the transitions until incumbents finish their terms.

Bills To End All Absentee Voting Win Committee Nod

MONTGOMERY (AP) — A legislative committee has approved alternate bills to do away with absentee voting, one to abolish it completely and the other to limit it to servicemen stationed outside Alabama.

The measures recommended by the Senate Privileges and Elections Committee Wednesday would replace present law requiring persons to vote between five and 20 days ahead of time if their business will keep them away from home on election day. Only armed forces personnel can vote by mail.

Another recommended bill would prohibit paying someone else's poll tax or giving money for that purpose to anyone except family members. Current law only forbids paying another's tax to influence his vote.

The committee also approved measure to require grand juries to spot check at least 10 per cent of the vote boxes after each election.

Action Postponed

Action was postponed on bills to abolish write-in votes in general elections and to require a state reidentification of all voters.

The House Ways and Means Committee has given top priority to the 74-million-dollar general appropriation bill, hoping to shove it past a threatened Black Belt blockade.

The powerful 16-member committee got right down to work on the big money bill Wednesday, heeding Gov. John Patterson's call for speedy passage of the measure to finance the state's non-educational functions during the next two fiscal years.

Patterson wants quick enactment of the general appropriation bill to give more time for his separate school budget—asking a 42-million-dollar annual increase — and his proposed new taxes to finance the larger educational outlay.

Solons Angry

Black Belt legislators are angry bout the governor's tax program nd his demands for legislative eapportionment. They hope to trengthen their hand in these isues by delaying passage of the general appropriation bill on the House and Senate floor.

Ignoring the Black Belt threats the House Ways and Means Committee resumed work on the money measure today.

Atty. Gen. MacDonald Gallion has asked for a $150,000 annual budget hike to take care of increased costs of civil rights cases, both in the defense and investigative stages.

Other committees meeting today are the House Local Government Committee and the Senate committees on finance and rules.

The House Ways and Means Committee Wednesday heard comment from House colleagues on the general appropriation bill.

More Money

House Speaker Charles C. Adams of Tallapoosa, asking a slight budget increase for the legislative reference service, headed a parade of lawmakers almost unanimously wanting more money for one department or another.

Chambers County Rep. Charles Reynolds, seeking to restore an annual $100,000 reduction in the state Pardon-Parole Board budget, came up with a proposal t put a $100 tax on each quicki divorce.

Under his plan, probate judges would charge a $100 fee to b paid by any prospective divorcee who signs an affadavit that he o she has lived in the state for six months and intends to be come a resident.

"Since divorces are going to b granted," Reynolds said, "w should take advantage of thos who want to come into Alabam from other states to get them."

A bill is also pending to abolish quickie divorces. It would require proof of at least a year's residence in Alabama, whereas out-of-state couples now come into the state and obtain divorce in a matter of hours.

WILL INTRODUCE BILLS

Rogers Proposes To Cut Voter Registration Days

By DON McKEE
Advertiser State Editor

Legislation proposed by Macon County Rep. Grady Rogers would give future Macon boards of registrars the right to curtail sharply the number of days required for receiving applications each year.

ROGERS

Rogers plans two bills of statewide application, but with special reference to Macon, relative to boards of registrars.

One of the measures would permit boards of registrars, should they desire, to decline to receive applications 12 days a year, provided these days are reserved for performance of clerical duties.

The other bill would permit boards to spend up to 20 days in rural precincts during even-numbered years. Existing law requires a like number of days spent in rural precincts during odd-numbered years, or every alternate year. However, Rogers' bills are permissive, not mandatory.

"Any county board not furnished clerical assistance may, in its discretion, after public notice has been given, decline to receive applications for registration on any day it meets which day it reserves for the purpose of performing necessary clerical work," the bill reads. It provides that not more than 12 days may be set aside for clerical duties during a given calendar year.

Passage of the measure would mean future Macon registrars (there is no functioning board presently) could cut out one-half their interview time with prospective voters.

Existing law rquires the board to meet twice monthly, 24 times yearly, to receive applications. Should the board decide to work on their files 12 days a year, only 12 days would remain for applicants.

However, the second measure would add 20 days every alternate year for receiving applications in precincts throughout the county—but it is permissive only, and the board would not be required to meet a single day on even-numbered years under this proposal.

Rogers is a former member of the Macon board of registrars. He and the only other member, E. P. Livingston, resigned earlier this year during court litigation over civil rights. The federal Civil Rights Commission initiated a suit against the state and Macon County, seeking an injunction against what it described as denial of voting rights on a basis of race in the county. A three-judge court of appeals has the case under study after the federal government appealed a district judge's dismissal of the suit against a nonexistent board.

Meetings of Macon registrars were few and far between when the board was functioning. At one time, during 1956 and 1957, the board did not meet for nearly a year and one-half.

Negroes outnumber whites in Macon by a 7-1 ratio. White voters outnumber Negroes by nearly 3-1.

For Good Local Government

IN A LETTER to his newspaper editor, a Texas man says: "In Texas we are proud of our poll tax and our Constitution. Five good Southern states has cannot be wrong about anything."

That seems to be a rather broad statement. But after all, if five Southern states after all their years of experience think that a poll tax is a good and fair requirement for the privilege of voting, it makes a good case for local self-government.

Suppose Vermont or Oregon or New York does not feel that such a requirement is necessary in order to get the best type of government. That is their business, just as it is our business to decide whether we want to indulge in local self-government to the extent of making some specific requirements before placing names on the voting lists.

There was a time when all states required property ownership as one of the essential requirements for a voter, but that requirement has been done away with in practically all states by local action.

If five states, including Alabama, still retain a small nominal poll tax as one of the requirements for voting, it is because it has been given long trial and found suitable to meet local conditions in those states.

That doesn't mean that five Southern states cannot be wrong about anything, but it does mean that each of those states has and ought to have the right to decide what is advisable to secure the best government within their borders.

U.S. Vote Suit Before Fifth Court Of Appeals

NEW ORLEANS (AP)—The U. S. Fifth Circuit Court of Appeals Friday took under consideration a request by the U. S. Justice Department to reinstate a Negro voter discrimination suit against the state of Alabama.

The court said it would hand down a ruling later. The original suit charged that 20 Negroes in Macon County were denied voting rights. That suit was thrown out by a federal district court judge March 6.

The appeal seeks to overturn the ruling by District Judge Frank M. Johnson Jr., in Montgomery, Ala., who held that the Civil Rights Commission was powerless to sue a sovereign state.

Woman Voter Official Warns Against Reform Of Poll Tax

A spokesman for the League of Women Voters warned here Saturday that the restoration of the old cumulative poll tax would increase rather than decrease the voting power of Negroes.

The warning came from Mrs. R. F. Futtrell of Montgomery, first vice president of the organization and its legislative chairman.

"The white women of Alabama will be the big losers if the cumulative feature of the poll tax is re-enacted," she said. "When the cumulative feature was abolished in 1953 there was a sharp increase in voter registrants, but the record shows most of these new voters were white women and not Negroes."

CUMULATIVE PLAN

In preparation for the fight which the league intends to wage against the proposed reinstatement of the cumulative plan, Mrs. Futtrell said the League was now making a county-by-county survey of voter registration since 1953.

The surveys have already been completed in Madison and Henry counties and in both instances the records supported the contention of the League.

The Henry survey, made by the Dothan League of Women Voters under the direction of Mrs. E. B. McDaniel Jr., showed that in 1954 and 1955—the first two years under the new poll tax plan—that 1,231 new voters were registered. Of this total, 79.3 per cent were whites.

REGISTERED VOTERS

"The survey showed that 67[illegible] white women became registered voters in 1954-55 and 298 white men," she said. "Only 255 Negroes became registered voters. This was true even though the population of Henry County is 50 per cent Negro."

Mrs. Martha Witt Smith of [illegible]ville, long-time leader in [illegible]ague movement, conducted the Madison survey.

It showed that 7,678 persons have registered to vote in Madison since 1953 of which 45 per cent were white women, 45 per cent white men and only 10 per cent Negroes. By comparison, Negroes represent approximately 28 per cent of Madison's population.

INTERIM REVISION

Legislation to restore the cumulative poll tax has already been recommended for enactment by he interim Revision of Laws Committee. It's chief sponsor is Sen. L. K. (Snag) Andrews of Bullock, who contends it will discourage Negro registration.

Under the present law a qualified applicant merely has to pay two years of poll tax ($3). Under the cumulative plan which Andrews seeks to restore a person who had never paid any poll tax would have to pay all back taxes due—compared at a rate of $1.50 per year from his 21st birthday. This would mean a maximum of $36, as poll taxes are not levied on persons over 45.

Mrs. Futtrell, in opposing the bill, said the Andrews' proposal was retroactive.

This means that people who have become registered voters under the present laws would be forced to go back and pay all poll tax due prior to 1953 before they could vote again. She also warned that a provision might be put into the bill to require veterans to pay the tax. They are now exempt.

Voting Rights Denied, Nine Negroes Charge

MONTGOMERY, July 2 (AP)—Nine Montgomery Negroes claiming denial of voting rights have complained to the Alabama Civil Rights Advisory Committee.

The Negroes' complaints, received at a committee meeting at Maxwell Air Force Base yesterday, were forwarded to the U. S. Civil Rights Commission in Washington.

Mayor Douglas Brown of Ozark, committee chairman, said the meeting for the state group was the last. A Federal law authorizing its existence is about to expire.

Brown said, "even if the Civil Rights Commission is continued, there is no assurance that the members of the present advisory group in Alabama would continue to serve."

Names of the Negroes, who charged they were denied the right to register as voters, were withheld.

Only two committee members were absent from the meeting, at which two members reported on their recent appearance before the Civil Rights Commission in Washington.

Brown and Dr. E. B. Goode of Mobile said the Washington session brought out that education, compassion and evolutionary procedures, as well as Federal and state legislation, are the roads to progress on civil rights issues.

The Federal commission will die in September unless Congress passes new legislation to extend its existence.

Nine present affidavits—

Civil rights group told vote denied Negroes

FLORENCE, Ala., July 2—(AP)—A member of the Alabama Civil Rights Advisory Council today said the group has received affidavits from nine Montgomery Negroes stating that they were denied the opportunity to register as voters.

Louis Eckl, a member of the council, said the affidavits were received during the council's meeting at Maxwell Air Force Base yesterday. He is editor of The Florence Times.

The council, with only one member absent, heard Mayor Douglas Brown of Ozark, council chairman, and Dr. E. B. Goode of Mobile, Negro member of the council, report on their recent testimony before the U. S. Civil Rights Commission in Washington.

Both men reported that the Washington meeting brought out that progress on civil rights must come through education, compassion and evolutionary procedures as much as through federal and state legislation.

IT WAS ALSO pointed out that the U. S. Civil Rights Commission will die when the law creating it expires in September unless new legislation is passed. Should the law not be renewed it is likely that Wednesday's meeting will be the last for the Alabama council.

The council also accepted the resignation of Byron K. Huffman, a Mobile lumberman. It was announced that Milton H. Lanier, a Huntsville attorney, did not accept membership on the council.

A check of council members showed that none have been subjected to any kind of threats, Eckl said.

IN THE SENATE

Cumulative Poll Tax Bill Favorably Voted Out By Constitutional Group

By HERSCHEL CRIBB

The cumulative poll tax bill, sponsored by Sen. L. K. (Smac) Andrews of Bullock, was favorably voted out of the Senate Constitutional Amendments Committee Tuesday.

It will make new registrants pay back poll tax before they can vote.

If the Senate and House enact it, it would still have to be ratified by the people of the state.

If it becomes law, it will mean that no one can vote until he pays $1.50 per year for every year between age 21 and 45, except veterans. Ex-service men are exempt under present law and would continue to be.

TAX OWED

In 1953, the law was changed to make only the past two years' poll tax payable for those who register to vote. It wiped out any tax owed beyond those years.

It is unclear whether the cumulative feature would be retroactive. Sen. Andrews has said it likely would be. He was absent from the committee session Tuesday, however, and another Black Belter said it would not.

He said the cumulative feature would take effect only as of the time the law is passed.

The League of Women Voters have opposed the measure, saying it will eliminate more white than Negro voters.

Sen. Andrews had made it plain the law is designed to discourage Negroes from registering to vote. The league last Saturday released a survey of seven Alabama counties to bolster their argument that white housewives will be the biggest sufferers under the Andrews' bill.

with the money to go to schools during the special session. But it didn't get off the ground. A Senate committee killed it after bankers protested.

Third Circuit Court For Montgomery OKd

The Senate Tuesday Passed bill to give Montgomery county its new Domestic Relations Court and third circuit judge.

The bill now goes to the House, where it will be ready for final action next Tuesday.

An identical measure in the House was deferred Tuesday to await the Senate bill, which will be acted on instead.

The bill abolished the present juvenile Court and puts juvenile cases as well as divorce, separation and child support cases in the new court. Its establishment was advocated by several local civic groups. One member of the Montgomery House delegation, Rep. George (Buboa) Bailey, is opposed to the court but says he won't fight it on the floor.

The bill as passed provides the county will pay all costs, except those paid by the state.

However, an amendment has been drawn to make the city and county share 50-50 the local part of the cost. Sen. Vaughan Hill Robison said the amendment was not finished soon enough to put it in the Senate version.

But the amendment has been passed on to Rep. Junie Pierce of Montgomery in the House for inclusion there.

Voter's League says—

Old poll tax return to hit white women

MONTGOMERY, Ala., Sept. 19 —(AP)—The League of Women Voters produced figures Saturday to back up its argument that a return of the old cumulative poll tax would hit more white women than anyone else.

Mrs. Jean Berman of Montgomery, the league's state president, made public a survey of seven counties with a total voting population of near 100,000. It was based on voters who have registered since the present poll tax law was written into the Constitution in 1953.

THE CONSTUTIONAL amendment erased all unpaid poll taxes beyond two years. Another amendment is pending in the Legislature to restore the cumulative tax which goes back 24 years for some voters.

If the amendment were adopted, the league says it would reach back and catch all those who have registered since 1953 and have paid only two years' back taxes.

In other words, said Mrs. Berman, they would have to pay what they would have owed if the 1953 amendment had not been written into the Constitution.

IN THE COUNTIES of Elmore, Henry, Houston, Jackson, Limestone, Madison and Montgomery where the survey was made, the league says 39,025 new voters have registered since 1953.

Of those, 20,411 were white women, 15,164 were white men, 1691 Negro women and 1957 Negro men.

All of the women, white and Negro, would owe some poll tax under the pending Senate bill, the league says. The survey showed 9105 white and 698 Negro women are exempt from the tax altogether now because they are over 45.

But, says Mrs. Berman, all of them would have to pay some tax which accumulated before they reached the exempt age.

In the same category, the league says, are 5473 white and 762 Negro men.

Cumulative Poll Tax Hits White Women Voters Hard

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Stiffer Poll Tax Backed By Senate

Black Belt Group Supports Committee Move To Restore Cumulative Provisions

MONTGOMERY, Sept. 22 (AP)—Black Belt senators pushed a stiff poll tax bill through committee today with the avowed intent of using it as a weapon against mass Negro voting.

Acting on a voice vote, the Senate Constitution Committee approved Bullock County Sen. Lawrence K. Andrews' constitutional amendment to restore the old cumulative provisions of the tax which were removed six years ago.

If the measure gets through the Senate and House and is ratified by the people in a statewide referendum, no one will be allowed to vote unless he has paid $1.50 for every year between the ages of 21 and 45, or unless he is a war veteran. Ex-service men and women are exempt from the tax.

The cumulative tax was in effect for half a century before it was modified by a constitutional amendment in 1953. That erased all unpaid taxes beyond two years.

Back Dated

If Andrews' amendment is written into the constitution, says the league of women voters which is fighting it, the cumulative provisions will be retroactive. Andrews agreed they probably would be.

That means, for example, if a voter owed 20 years' tax in 1953 and became eligible to cast his ballot by paying only two years, he would have to go back and pay for the other 18 years or be disfranchised.

The sponsoring senator acknowledged his purpose is to stop mass Negro voting. His senatorial district includes Macon County, where Negroes outnumber white residents nearly 6-1 and where the Federal government recently filed a suit to prohibit registration officials from denying Negroes the right to vote.

But the women voters contend the cumulative poll tax would affect more white housewives than anyone else because many of them let the poll tax pile up. The league produced figures last Saturday to back up their argument, citing a survey made in seven Alabama counties.

Andrews was absent today when the amendment was brought up. Sen. Roland Cooper of Wilcox County, another county where Negroes outnumber white residents, handled it in his absence.

Before taking up the controversial poll tax question, the Senate Constitution Committee approved another constitutional amendment to let the voters say whether $40 million dollars unspent in highway bonds should be sold as general obligation bonds.

$60 Million Total

The Legislature authorized $60 million in bonds at a special session earlier this year. Twenty million have been sold as revenue bonds financed by part of the proceeds from the state gasoline tax.

If the remaining 40 million were made general obligation bonds as proposed by Sen. Larry Dumas of Jefferson County, the full faith and credit of the state would be behind them.

Dumas estimated the state could save $2 million in interest.

The committee sidetracked still another amendment, to take control of the State Docks away from the governor and put it under a five-man board. A similar law was passed in 1951, but it was only a statutory act and ex-Gov. James E. Folsom got it repealed when he began his second term four years later.

The proposed amendment would write it into the Constitution where only the voters could change it.

The house spent nearly two hours introducing new bills and acting on noncontroversial local bills before coming to grips with a bill to increase circuit solicitors retirement pay to $5200 a year.

Among the new bills introduced was one by Rep. Robert Broadfoot of Lauderdale County to create a state electrical administrative board with authority to fix standards for electrical equipment and installation of electrical equipment.

The bill provides that the state fire marshal would be a member and the governor would appoint four other members.

After fighting over the solicitors' retirement bill off and on for several days, the House finally killed it on a 43-42 rollcall vote.

It would have allowed prosecutors to retire after 25 years at $5200 a year instead of the present $4000. Those physically disabled could draw a pension after 15 years.

Rep. Alonzo Shumate of Walker County reintroduced a previously defeated measure to abolish the State Pensions and Security Board and transfer its power to a pensions and security commissioner appointed by the governor.

Return Of Old Poll Tax Is Opposed

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Old Poll Tax Law Is Unwise

The proposed constitutional amendment to restore the old cumulative feature of the poll tax law proposed by Sen. Lawrence K. Andrews would be very unwise. The measure has been voted out favorably by the Senate Constitution Committee.

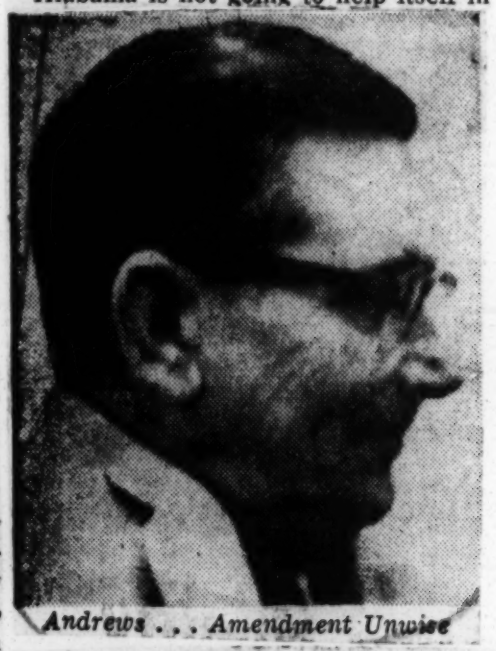
The people would have to vote on the amendment, which if put into effect would require that no one be allowed to vote (except those exempted) between ages 21 and 45 unless he had paid $1.50 for each of those years.

Down through decades, in an effort sensibly to broaden the base of representation, thoughtful Alabamians worked to have that amendment repealed. In 1953 it was modified by setting a maximum of two years' poll tax as a requirement for voting.

There is a possibility that the law would be retroactive in this sense: If a person qualified in 1953 or later by paying only two years' back poll tax, he or she might be unqualified unless he went back and paid $1.50 a year for all years due prior to payment after 1953 of the $3 back tax for only two years. There is, however, some evidence that Sen. Andrews did not intend that the bill should be retroactive.

Whether it would be retroactive to before 1953 is important. But more important is the need to understand that Alabama is not going to solve its voter registration problems by making it tough to vote in this manner. Similarly, we have expressed a question as to the advisability of approving a House bill which would enable registrars to sit less frequently to consider registration applications, and to enable them to go out into the precincts on a program to limit applicants only to persons living in specific precincts. The aim in this is to reduce the possible number of applicants whose effort to register might have to be considered.

Alabama is not going to help itself in



Andrews . . . Amendment Unwise

the battle to preserve segregation and prevent mass Negro voting by such naked subterfuges. We need, instead, a set of closely-drawn registration questionnaires, more skilled boards of registrars in many instances, and a statewide method of handling and processing applications. Registration boards also need fulltime clerks.

Don't forget that the Civil Rights Commission, though with some dissent, proposed imposing federal registrars on the South. Let's keep our registration tight but on a basis we can defend against any federal effort at encroachment. We could win a lot of skirmishes but wind up losing the battle.

Montgomery Negroes Launch Vote Drive

MONTGOMERY, Ala. — Montgomery's 50,000 Negroes are on the march again.

This time they're walking for the right to vote.

In December, 1955 they boycotted the city's buses in protest over discrimination. The Rev. Martin Luther King Jr. led the dramatic "massive" non-violent passive resistance movement that won world-wide applause.

The spotlight was on Montgomery again in December, 1958, when the U.S. Civil Rights Commission held hearings here and a parade of Negro witnesses gave impressive testimony on the methods used in Alabama to deny them the vote.

TODAY, THE same ministers, who, with their congregations, joined in the historic bus boycott, are leading their people to the registration office in an all-out effort to break down the entrenched opposition to Negro voting participation.

• Organized labor, fraternal groups, social clubs, farmers, laborers, domestics, and business and professional people have pitched into the campaign. Said a spokesman: "There isn't any difference. The same crowd that's against labor is against Negroes, civil rights and little people, period. That's why they don't want us to have the vote."

To spur the registration drive recently, a dozen clergymen took off their clerical garb and formed a "shirtsleeve platoon" to ring doorbells in the huge Victor Tulane housing project, all Negro-occupied dwellings.

The clergymen included the Revs. Mr. King, Robert E. DuBose Jr, Church of the Good Shepherd, Episcopal; Ralph Waldo Hilson, St. John AME; E. D. Bell, Revelation Baptist and Mt. Olive Baptist (one of the churches destroyed by bombs); Hillman H. Hubbard, Bethel Baptist; Ralph D. Abernathy, First Baptist; Solomon Seay, executive secretary of the Montgomery Improvement Association; B. D. Lambert, Maggie Street Baptist; William J. Powell, Old Ship AME Zion; A. W. Wilson, Holt Street Baptist, and G. Franklin Lewis, First Congregational Church.

The Rev. Mr. King, who pastors the Dexter Avenue Baptist Church, said: "We were most happy to do this important job and we look forward to more of this kind of action to help our people gain the ballot."

■

THE MINISTERS were accompanied by members of Club 21, a new organization of alert young people either approaching or who have already reached 21, the normal voting age.

This group is providing a fresh stimulus to the campaign. Eager to vote themselves, they are using all their energy to pound pavements and do a "Paul Revere" job of stirring their elders to go to the registrar's office time after time.

O. C. Pleasant is the president of this group. The officers include Josephine Bolling, vice president, and Florence McMillan, secretary.

AS BROUGHT OUT during the civil rights hearing last December, Montgomery registration officials have gone to extraordinary means to discourage and thwart attempts by Negroes to get on the books.

Prospective Negro voters who go through the tedious process of filling out the long, involved questionnaire which the state requires are either "flunked" repeatedly in the examination or else they never hear from the board as to whether they have passed.

Some have applied as many as 15 times. The current registration campaign is the most concentrated undertaking yet to combat the registration hurdle.

Coordinator of the drive is Rufus (Coach) Lewis, a local undertaker and former athletic instructor at Albama State Teachers College.

REV. MARTIN L. KING JR. LEADS "RIGHT TO VOTE" DRIVE

REV. RALPH ABERNETHY ON NEGRO VOTE CAMPAIGN

Two Dallas Vote Registrars Report FBI Agents Haven't Contacted Them

SELMA, Nov. 1 (AP) — FBI agents making an inquiry into voter registration discrimination in Dallas County apparently contacted only one of the three members of the county registration board.

J. L. Packlett, board chairman, said two FBI agents called at his home and advised him of the investigation.

"I'm not worried a bit about the investigation," he said. "I think the board treated everyone fairly regardless of color."

Two Not Contacted

The other two board members said they were not contacted about the matter.

Gov. John Patterson announced Thursday that the FBI was making an investigation. He vowed to fight it "at every turn."

"They will find it uphill and hard going all the way," he added.

Joseph M. P. Ryan Jr., acting assistant U. S. attorney general of the Civil Rights Division, confirmed that the investigation was made.

"There are complaints in Dallas County and we've asked the FBI to investigate," he said.

Records of the board's business have been in the hands of a county grand jury since October, 1958. They were impounded during an investigation at that time by the Federal Civil Rights Commission.

Jury Action Uncertain

Whether the grand jury would make the records available to investigators now was not learned.

Dallas County is one of six South Alabama counties involved in an investigation of Negro voting complaints conducted by the commission last year.

The county has a population of about 60,000. An estimated 8000 white persons and 200 Negroes are registered to vote in the county.

Circuit Solicitor Blanchard McLeod said the current investigation apparently is "a criminal investigation against members of the board of registrars."

If this is the case McLeod added, "it immediately becomes my duty, the duty of the Alabama attorney general and every other legal officer in the state, to step forward and protect them as public officials."

ALABAMA DEFYING NEW VOTE INQUIRY

Gov. Patterson Asserts He'll Throw Out Agents of U. S. Civil Rights Panel

MONTGOMERY, Ala., Oct. 29 (UPI)—Gov. John Patterson said tonight that agents of the Federal Civil Rights Commission were investigating new Negro registration complaints in Alabama. He urged state officials not to cooperate.

"I resent this interference from Washington," Mr. Patterson declared. "This is just another election attempt to win votes for Nixon from minority groups in the North."

He said he had urged all state officials to "give no help or assistance" to the agents. He denounced agents who, he said, "contact the Negro agitators and go to work for them."

He said Alabama had peaceful race relations.

"Washington should spend its money investigating muggings, killings and stabbings in New York and Chicago," he went on. "Nelson Rockefeller knows more about race riots than I do."

Dallas County Mentioned

Regarding the agents, he said:

"I promise to pack them out of the state as soon as I can.

"My advice to any Alabama official accosted or approached by these Federal agents or F. B. I. men is not to cooperate, for they only create a wider breach between whites and Negroes."

Mr. Patterson said he had been notified "personally" by an F. B. I. agent that the commission had setn investigators into Dallas County, in the so-called black belt. Dallas was among five counties in which civil-rights complaints by Negroes were investigated yast year.

The commission opened hearings here last December, but broke them off after only a day when vote registrars refused to testify or produce records that the panel had tried to subpoena.

The commission turned the case over to the Justice Department for Court action, and a Federal judge held that the commission did not have power to force registrars to produce such records. The ruling is on appeal to the United States Supreme Court.

Voter Qualifications: A Function Of The States

It is not necessary to be a partisan of the poll tax to oppose the proposed amendment to the U.S. Constitution that would outlaw the tax as a condition for voting in federal elections.

Fixing voter qualifications is the business of the states. So long as these qualifications operate equally, even though harshly, on all the citizens, it is no concern of the federal government. It's something for the citizens themselves to consider.

That this is so is confirmed by the diversity of conditions for voting that exist now among the states.

A newcomer in Idaho, Indiana, Iowa or any one of eight other states can vote after six months residence. In Arizona, Arkansas and 32 other states, he would have to wait a year. In Alabama, Mississippi and South Carolina, he could only vote after two years.

In Nevada, it would be necessary for him to have resided 30 days in the county and 10 days in the precinct; whereas in New York it would be four months in the county and 30 days in the precinct. In Colorado he could vote after 15 days in the precinct; in California he would have to wait 54; in Florida there is no precinct requirement.

A resident of Kentucky or Georgia can vote at age 18. In all other states, the citizen must wait three years longer.

Even within the poll tax states—Alabama, Arkansas, Mississippi, Texas and Virginia—there are distinctions. In this state, a veteran is not required to pay the tax, or a citizen over 45; all others, of course, must pay.

Obviously, the purpose of the proposed constitutional amendment is not simply to make voter qualifications more uniform. If so, why, is it directed solely at the poll tax and not at requirements of residence? And again, if the object is more uniform law in general, why restrict it to voting?

Civil and criminal law offer a far greater abundance of "discrimination." Consider the matter of death penalties. Some states hang, some suffocate, some electrocute and one offers the option of the firing squad. Still others are opposed to capital punishment altogether. Or divorce laws: In one state it is virtually impossible for a citizen to obtain a divorce; in another it is his practically for the asking.

And so on and on.

As for the poll tax itself, it has a diminishing history. A few years ago, it was on the books of 11 states. It has since been abolished in six and, at least in Alabama, modified to make voting easier.

In time, perhaps, it will disappear altogether. Meanwhile, however objectionable, the tax itself is not an insuperable condition to voting, at least not in Alabama.

Laws are local and peculiar, sometimes absurd, occasionally ridiculous. If Congress is going to undertake to make them all uniform by amendments, the Constitution will come to rival the *Encyclopaedia Britannica* in size and the collected works of Elvis Presley in significance.

Mrs. Willis Off Board

Alabama Journal

Mrs. Lampley New Registrar

Montgomery Ala

Mrs. Robert L. Lampley, wife of Montgomery's retiring fire chief, today was named to the Montgomery County Board of Registrars. Two other members of the board, Crum Dinkins and George W. (Doc) Penton, were reappointed.

Mrs. Lampley replaces Mrs. C. B. Willis, who has served as chairman.

Dinkins will be the new chairman.

Contacted this morning, Mrs. Lampley told The Journal she will accept the appointment.

Mrs. Lampley's husband, Montgomery's veteran fire chief, recently announced his retirement following a verbal tiff with L. B. Sullivan, the city's new police and fire commissioner.

Dinkins, a resident of Montgomery for 50 years, went on the board last December to fill the vacancy created by the death of Mrs. Atticus Mullin.

A native of Pike County, he retired in 1957 as chief clerk to the master mechanic of the Western Railway of Alabama after working for the railroad for 49 years.

Dinkins lives at 2103 St. Charles Ave.

Penton, a native of Coosa County, is a former Auburn football player and was All-Southern fullback in 1908. He coached football at Lanier High from 1917 to 1919.

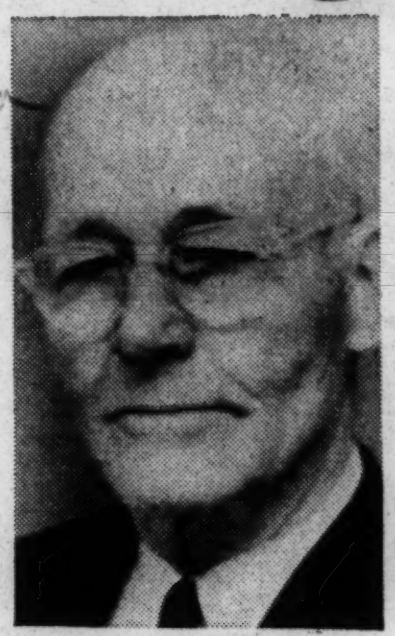
A retired drug salesman, Penton lives at 703 Felder Ave.

Mrs. Willis has held the office of chairman of the board of registrars since 1951.

The wife of Cullie B. Willis, she resides at 2114 St. Charles Ave. She has served as president of the Travelers Aid Society and chairman of the Junior Red Cross, and worked with the United Community Services (United Appeal), the Red Cross, Mental Health Society and Alabama Advisory Council for Education.

MRS. R. L. LAMPLEY
. . . New County Registrar

CRUM DINKINS
. . . The New Chairman



G. W. PENTON
. . . Back On Board

MRS. C. B. WILLIS
. . . Off The Board

RICHARD M. HARRIS
. . New board member

Effective immediately—

The Birmingham News

Jeffco gets new registrar board

Birham, Ala,

BY PAUL HOGAN
News staff writer

A new Board of Registrars will take office immediately in Jefferson County.

Three new members were appointed today by Gov. John Patterson: State Auditor Mrs. Mary Texas Garner, and Agriculture Commissioner R. C. Bamberg.

New members are George Bellsnyder of 909 57th-st ,s; Walter Brower of 3648 Clairmont-av, and Richard M. Harris of 2211 Eufaula-av.

They succeed William M. Gwin, Mrs. Tom Christian and Roy Frink.

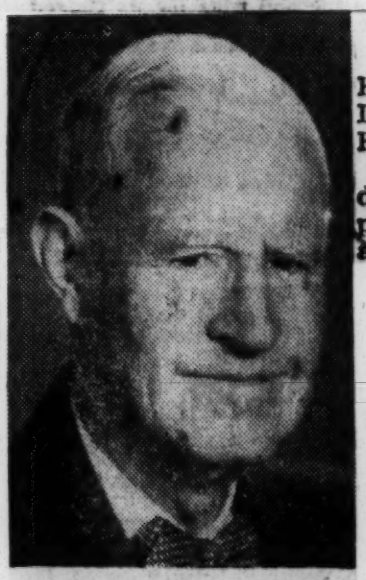
UNDER THE TERMS of local act, Jefferson County members elect their own chairman.

Bellsnyder is a retired district salesman for a dry goods firm. A member of the Birmingham Planning Commission, he is also chairman of the executive committee of the Birmingham Sunday School Council.

Prominent in Exchange Club activities, he was one of a committee that helped organize the Birmingham Zoo.

Brower served as state senator from Jefferson County in 1924-27, after practicing law here several years. Later he served as an assistant attorney general in Washington, and practiced law in New York.

FOR THE LAST 20 years, he has served as an industrial arbitrator for many firms.



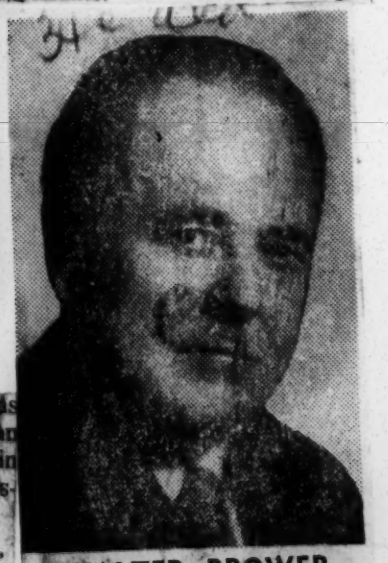
GEORGE BELLSNYDER
. . . New registrar

A native of Georgia, Harris has been in Birmingham more than 30 years. He aided his wife in managing sales for a large cosmetic firm here.

He lived in Texas many years, serving as a clerk in the Fort Worth tax office, as city fire marshal, and as a tax investigator in connection with the district attorney's office.

He is the uncle of Crampton Harris, Birmingham attorney, and Dr. Pierce Harris, pastor of the First Methodist Church in Atlanta.

The board handles all matters dealing with voter registration, passing on the qualification of applicants.



WALTER BROWER
. . . Receives appointment

Judge orders Mathews vote rights restored

The Birmingham News

Birham, Ala

PHENIX CITY, Ala., Dec. 1 — Circuit Judge W. R. Belcher has ruled that voting rights of former Russell County Sheriff Ralph Mathews be permanently restored.

Belcher said that a charge of willful neglect of duty filed against Mathews in 1954 was not an offense that would disqualify him as an elector either in the State of Alabama or in Russell County.

Belcher's ruling came in a declaratory judgment last week. The decree says Mathews is a qualified voter in Russell County.

THE JUDGMENT orders the Russell County Board of Registrars to "withhold from proceeding any further or taking any action on any matter or proceeding now pending before the board regarding the qualification of H. Ralph Mathews as an elector."

Mathews resigned as sheriff shortly after the 1954 murder of Albert Patterson, which set off the vice clean-up in Phenix City. He paid a $200 fine and court costs after pleading guilty to the neglect of duty charge.

Belcher's judgment will, in effect, allow Mathews to become a candidate for public office.

Voter Registration Boards Named In 20 More Counties

The State Board of Registrars, in addition to appointing voter registration boards in Macon and Montgomery counties Wednesday, named boards for the following counties:

(The board chairman is listed first in each county):

Lauderdale — Mrs. Mildred Broadfoot, Florence; Mrs. Doris Boston Simmons, Florence, and Elmer Koonce, Rt. 4, Florence.

Limestone—Thomas W. Spencer, Mrs. Lena Swinea and Mrs. Ophelia Allen, all of Athens.

Jefferson—Richard M. Harris, Walter Brower and George Bellsnyder, all of Birmingham. (Under a local act the Jefferson board elects its own chairman.)

Lowndes—Clyde A. Day, Rt. 1, Hayneville; C. C. Coleman, Hayneville, and G. E. Dansby, Rt. 2, Hope Hull.

Madison—R. W. Tuck, Harvest; E. R. Howard, Toney, and Mrs. Martha Whitt Smith, Huntsville.

Marengo—Rev. A. T. Elsberry, Nanafalia; W. H. Stephens, Linden, and S. S. McCants, Demopolis.

Marshall—I. B. Hyde, Guntersville; Mrs. Gail Isbell, Albertville, and Mrs. Lucille Starnes, Guntersville.

Mobile—Frank G. Mitternight, Mrs. Susie Kuffskie and G. R. Evans, all of Mobile.

Morgan—Mrs. Myrtle Cobb, Decatur; Mrs. Dona L. Bailey, Hartselle, and Mrs. Betty Proctor, Decatur.

Pickens—Lester B. Koon, Gordo; Mrs. Frances H. Puckett, Carrollton and George N. Downer Jr., Aliceville.

Randolph—A. C. George, Rt. 1, Roanoke; Louis Brown, Woodland, and Clarence Stewart, Wedowee.

Shelby—George Howell, Montevallo; Mrs. Lucille Ozley, Calera and C. E. Sumners, Rt. 1, Harpersville.

Sumter—E. C. Godfrey, Livingston; Mrs. Pratt Tartt, Livingston, and W. C. Culpepper, Cuba.

Talladega—Hugh Shaw, Rt. 2 Talladega; Lamar Miller, Childersburg, and Mrs. Monk Riley, Talladega.

Tallapoosa — James Lovelace, Dadeville; L. T. (Tom) Wilson, Dadeville, and Mrs. Levis Nolen Alexander City.

Walker—Joe Johnson, Jasper; John Duncan, Rt. 2, Nauvoo, and J. N. Lee, Rt. 1, Nauvoo.

Washington—Lee Coaker, Fruitdale; Mrs. Glendene B. Gordon, Chatom, and Cling Howard, Tibbie.

St. Clair—John Yarbrough, Rt. 1, Ashville; Mrs. Eleanor Wyatt, Rt. 2, Ashville, and Aubrey Bud Pearson, Springville.

New county registrars are sworn in

BY PAUL HOGAN
News staff writer

A new Board of Registrars which may clamp down on voter registration in Jefferson County took office today.

Atty. Walter Brower was elected chairman immediately after Probate Judge J. Paul Meeks administered the oath of office to the three members.

GEORGE BELLSNYDER, retired dry goods district salesman, and Richard M. Harris, also retired, will serve with Brower.

Although the board indicated its policy would be simply to follow the laws governing registration of voters, it was understood the group is considering adopting new qualification procedures.

The board reportedly will look into the possibility of hiring investigators to determine whether voter applicants have criminal records.

Brower said the new group will attempt to treat both white and Negro applicants alike, "since the law sets this out."

None of the board members appear to take the prospects of their new duties lightly.

EACH MEMBER said he recognizes the problems that will face registrars throughout the state during the next four years.

The registrars are named by Gov. John Patterson, State Treasurer Mary Texas Garner and Agriculture Commissioner R. C. Bamberg.

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Washington—Lee Coaker, Fruitdale; Mrs. Glendene B. Gordon, Chatom, and Cling Howard, Tibbie.

St. Clair—John Yarbrough, Rt. 1, Ashville; Mrs. Eleanor Wyatt, Rt. 2, Ashville, and Aubrey Bud Pearson, Springville.

FBI agents interrogate in Alabama

MONTGOMERY, Ala. — The U.S. Civil Rights Commission has re-opened its probe in Alabama, Gov. John Patterson reported last week.

Governor Patterson said he had been "personally" notified by an FBI agent that Commission agents were in Dallas County investigating complaints that colored persons have been denied the right to vote.

The second investigation comes almost a year after the Commission held hearings here last December. After receiving no cooperation, the Commission turned the case over to the Department of Justice.

DALLAS IS one of six counties where complaints were investigated last year.

According to Patterson, the agents showed up in Dallas County last Tuesday.

The chairman of the county registration board, J. L. Tackett of Marion Junction, said he had seen two FBI men, but no agents from the U.S. Civil Rights Commission.

Tackett said two FBI men came to his home Wednesday and stayed about "three or four minutes." According to the board chairman, the FBI men were investigating "alleged discrimination" and "violation of civil rights."

* * *

THE ALABAMA governor said he had advised state officials not to cooperate with "these Federal agents or FBI men."

"I promise to pack them out of the state as soon as I can," declared Patterson.

The governor asserted that civil rights agents "have no right to be down here meddling in our domestic affairs," charging that the re-opening of the case is "an attempt to get votes for (Vice President) Nixon from minority groups in the North."

Alabamian Backs Rights Commission

MONTGOMERY (AP) — An Alabama official has sided with the U. S. Civil Rights Commission's disputed plea for federal voter registrars to ensure Negro voting equality.

"I don't see any other outcome if we're not big enough to clean up our own house," declared Mayor Douglas Brown of Ozar' chairman of Alabama's adv committee to the federal civil rights agency.

After a meeting Wednesday in which committee members were briefed on the commission report to President Eisenhower and Congress, Brown said he agreed with most of the recommendations.

"I feel very strongly that citizens qualified to vote under state laws — whether white, Negro or Indians in Southwest Alabama — should be allowed to vote," he said.

The outspoken Ozark mayor blamed the defiance of several Alabama county registrars for the commission's request for federal voting controls, which has brought angry protests across the South.

Attending the meeting beside Brown were Dr. E. B. Goode o Mobile, vice chairman; Loui Eckl, executive editor of The Florence Times and Tri-Citie Daily; Mrs. L. H. Foster, wife of the president of Tuskegee Institute; A. G. Gaston of Birmingham; Dr. Robert A. Lambert of Fairhope and Mrs. Fletcher Mc Leod, Montgomery church an civic leader.

Alabama Vote Denials

Alabama's chief executive has made a loud noise over the reports that agents of the Federal Government were probing racial complaints in this state. It remains an uncontested fact that in Lowndes and Wilcox counties there are not yet any Negro voters despite the heavy Negro population in these two particular Black Belt counties.

Even if it were wholly fair, the registration process in Alabama is so built that only a few voters can be screened. Under this slow voter-screening system the so-called fears of being inundated Negro applicants vote seems to be unjustified. Nor are Negro voters in this state rushing to become voters. The latter is a sad observation for us to make. Some of our statewide organizations like the P.-T.A., the Alabama State Teachers Association and the Alabama Association of Women's Clubs do not seem to be active at this time in voter-registration stimulation.

The Birmingham News said editorially, Sunday, November 1, that "what Alabama can most usefully do is put more order into its registration procedures." Yet its idea of "order" is disturbing to us. However The News pointed out: "There is little doubt some qualified Negroes have been denied registration. We have said before and we say again we cannot successfully allow any board of registrars to bar Negroes when qualification is obvious."

This newspaper must call attention to what it has said on other occasions with reference to the proposal advocated by The News "to provide more than one questionnaire." It seems to be the administration of the law as well as harshness of the law which is at the root of the racial vote denials. We fail to see how this form of discrimination and bad administration could be corrected by placing into the hands of unfair and unfriendly board of registrars more weapons for denying applicants solely because of their race.

Instead, we suggest that persons who have the equivalent of an elementary school education, or who hold an elementary school certificate, be adjudged as meeting the requirements for becoming a voter in this state. The questionnaire does not seem to us to conform with the idea of a valiad literacy basis for screening voters. Only by testing applicants by essentially the same yardstick can a formula meet the test of democratic fairness, it seems to us.

Arriving at a satisfactory method of enrolling new voters would not be difficult in Alabama if there was not the tendency to find a way to restrict the Negro electorate. The school certificate would meet the test of literacy and should be used in Alabama, it seems to us.

Voter Registration Boards Announced For 21 Counties

New voter registration boards in 21 Alabama counties were announced Tuesday by the State Board of Registrars—Gov. John Patterson, Agriculture Commissioner R. C. Bamberg and State Auditor Mary Texas Garner.

The board is slated to re-convene again next week to continue the selecting of the boards of registrars in the remaining 46 counties.

Appointed Tuesday for four year terms were (chairman listed first in each case):

Autauga — Albert L. Graham, Deatsville; Arthur J. Wyatt, Rt. 4, Prattville, and Mrs. Earnie Wingard, Prattville.

Baldwin — Jack Arnold, Fairhope; Sam Little, Rt. 2, Bay Minette, and J. W. Bailey, Bay Minette.

Barbour — J. W. Spencer, Rt. 2, Clayton; Miss Mary Will Baxter, Clio, and A. D. Trammell Jr., Comer.

Bibb — C. E. Hornsby Jr., Centreville; Mrs. Gladys Pow, Brent, and W. C. (Bill) Jones, Briarfield.

Blount — L. E. Bellenger, Oneonta; Mrs. Lou Delia Frachiseur, Rt. 4, Oneonta, and Filo J. Hyde, Oneonta.

Bullock — J. P. Tompkins, Fitzpatrick; Walter Ellis, Fitzpatrick, and William R. (Hick) Sims, Rt. 2, Union Springs.

Butler — Sam Owen, Forest Home; Mrs. Clyde Thigpen, Georgiana, and Jess A. Cheatham, Greenville.

Calhoun — Mrs. Howard Trammell, Jacksonville; Mrs. W. M. Schroeder, Rt. 5, Anniston, and Horace R. Burnham, Piedmont.

Chambers — George Green, Fairfax; B. H. Andrews Jr., Rt. 4, LaFayette, and P. S. Owens, LaFayette.

Cherokee — Jack Edwards, Centre; Johnny Griffith, Centre, and Gartrell Collier, RFD, Centre.

Chilton — Judson Messer, Verbena; Mrs. Clara Nell Mims, Rt. 1, Clanton, and Miss Ruth Hicks, Stanton.

Choctaw — E. J. Barber, Butler; Mrs. Kathy F. Keehey, Jachin, and R. F. Lee, Silas.

Clarke — Dock Bradford, Dickinson; Clarence R. Myrick, Coffeeville, and J. Stewart Tompkins, Grove Hill.

Clay — Mrs. Nettie Williamson, Ashland; Mrs. Grady Pepper, Ashland, and Perry Owens, Ashland.

Cleburne — M. Harbon Thrower, Rt. 3, Heflin; Mrs. John E. Gaither, Heflin; J. L. Boman, Muscadine.

Coffee — J. W. Parker, Elba; Mrs. Estelle Bryant Morgan, Enterprise, and Mrs. Quinnie R. Whitman, Elba.

Colbert — George W. Cantrell, Rt. 7, Russellville; Mrs. V. G. Berryman, Leighton, and Miss Martha E. Huston, Tuscumbia.

Conecuh — Albert Eady, Evergreen; Mrs. Pauline B. Cook, Rt. 1, Evergreen; Mrs. Leland Burgess, Evergreen.

Coosa — W. H. Crawford, Nixburg; A. P. Thomas, Rt. 1, Rockford, and Harold R. Robbins, Goodwater.

Covington — Marion M. Lloyd, Red Level; Lee Williams, Opp; Larry Woodham, Florala.

Perry — H. B. Mayton, Uniontown; J. A. Blackman, Marion, and Floyd Bamberg, Spratt.

Probe Of Voting Irks Governor

By DONALD F. MARTIN

MONTGOMERY, Ala. — (UPI) —Gov. John Patterson said Thursday night that U. S. Civil Rights commission agents are investigating new Negro voter registration complaints in Alabama and urged state officials to refuse to cooperate.

"I resent this interference from Washington," Patterson said. "This is just another election attempt to win votes for (Vice President Richard M.) Nixon from minority groups in the North."

Patterson said he has urged all state officials to "give no help or assistance" to the rights commission agents.

The governor angrily denounced the agents who, he said, "contact the Negro agitators and go to work for them."

He said there are peaceful race relations in Alabama.

"Washington should spend its money investigating muggings, killings and stabbings in New York and Chicago. Nelson Rockefeller knows more about race riots than I do," he said.

Patterson said he has "urged every Alabama official to give these meddlers, these practitioners of harassment, no aid or comfort, and I promise to pack them out of the state as soon as I can.

"My advice to any Alabama official accosted or approached by these federal agents or FBI men is not to cooperate for they only create a wider breach between whites and Negroes."

State Board Holds Session On Registrars

The State Board of Registrars met behind closed doors Monday in an effort to complete the task of naming new voter registration boards in Alabama's 67 counties.

The board—made up of Gov. John Patterson, Agriculture Commissioner R. C. (Red) Bamberg and State Auditor Mary Texas Garner—is expected to announce the appointments Tuesday.

Under a long-standing agreement each member of the state board appoints one registrar from each county except in the home county of the appointing officer where he or she appoints all three members.

This will mean that Patterson will appoint Russell County's board, Bamberg will name the three members from Perry County and Mrs. Garner will appoint Jackson County's board.

Recent investigations by federal agencies into the alleged denial of voting rights to Negroes by registration boards has made it difficult to find persons to serve.

Gov. Patterson commented on this fact last week, noting that many people had turned down appointments to registration boards because they didn't want to be harassed or intimidated by the Civil Rights Commission of the Justice Department.

Registration Boards Are Considered

MONTGOMERY (AP) — Gov. John Patterson conferred today with his fellow members of the state board which appoints county voter registration boards.

The appointment of some registrars was expected to be announced shortly.

Terms of the registration officials who served during ex-Gov. James E. Folsom's administration expired Sept. 30, but under the law, they hold office until their successors are chosen.

The appointing board is composed of the governor, Agriculture Commissioner R. C. Red Bamberg and State Auditor Mary Texas Hurt Garner.

Representative Powell Moves In To Break Voter Registration Stalemate

Over in Macon County, Alabama the seat of the famous Tuskegee Institute and the United States Veterans Hospital, where the alleged fear of Negro voting caused the state Representative in the General Assembly to introduce legislation to dissolve his own county and parcel it out to five adjoining counties, there is apparently a day of reckoning on the horizon.

Congressman Adam Clayton Powell, although he represents another Congressional District up in New York has introduced a bill in the House to provide for a Federal Voters Registration Commission.

This would set up a Federal machinery for the accomodation of those desiring to register where the county boards refuse to function.

Sometime ago when the Civil Rights Commission staged an investigation in the registration irregularity down in Macon County, Alabama, the registrars resigned, leaving no board operative and nobody to sue for not allowing persons to register.

The Macon County board has been inoperative since 1946 up to the present, which leaves the county without any registration machinery.

The county has some 3,100 white inhabitants against 14,000 Negroes. The whites have a voting potential of some 3,000 against 14,000 Negro voters.

Congressman Powell seeks to put the works under a federal board to provide when counties under fire abdicate from the redistration stations, thereby nullifying the right of citizens to vote.

This is a good law and should pass, for when it is shown that a state is unwilling to carry out its duty to its citizens, then the only other option remaining is for the federal government to step in and provide the facility.

Otherwise, the 15th Amendment would be nullified by the simple tactics that Macon County has adopted.

Voter Qualifications:

A Function Of The States

It is not necessary to be a partisan of the poll tax to oppose the proposed amendment to the U.S. Constitution that would outlaw the tax as a condition for voting in federal elections.

Fixing voter qualifications is the business of the states. So long as these qualifications operate equally, even though harshly, on all the citizens, it is no concern of the federal government. It's something for the citizens themselves to consider.

That this is so is confirmed by the diversity of conditions for voting that exist now among the states.

A newcomer in Idaho, Indiana, Iowa or any one of eight other states can vote after six months residence. In Arizona, Arkansas and 32 other states, he would have to wait a year. In Alabama, Mississippi and South Carolina, he could only vote after two years.

In Nevada, it would be necessary for him to have resided 30 days in the county and 10 days in the precinct; whereas in New York it would be four months in the county and 30 days in the precinct. In Colorado he could vote after 15 days in the precinct; in California he would have to wait 54; in Florida there is no precinct requirement.

A resident of Kentucky or Georgia can vote at age 18. In all other states, the citizen must wait three years longer.

Even within the poll tax states—Alabama, Arkansas, Mississippi, Texas and Virginia—there are distinctions. In this state, a veteran is not required to pay the tax, or a citizen over 45; all others, of course, must pay.

Obviously, the purpose of the proposed constitutional amendment is not simply to make voter qualifications more uniform. If so, why is it directed solely at the poll tax and not at requirements of residence? And again, if the object is more uniform law in general, why restrict it to voting?

Civil and criminal law offer a far greater abundance of "discrimination." Consider the matter of death penalties. Some states hang, some suffocate, some electrocute and one offers the option of the firing squad. Still others are opposed to capital punishment altogether. Or divorce laws: In one state it is virtually impossible for a citizen to obtain a divorce; in another it is his practically for the asking.

And so on and on.

As for the poll tax itself, it has a diminishing history. A few years ago, it was on the books of 11 states. It has since been abolished in six and, at least in Alabama, modified to make voting easier.

In time, perhaps, it will disappear altogether. Meanwhile, however objectionable, the tax itself is not an insuperable condition to voting, at least not in Alabama.

Laws are local and peculiar, sometimes absurd, occasionally ridiculous. If Congress is going to undertake to make them all uniform by amendments, the Constitution will come to rival the *Encyclopaedia Britannica* in size and the collected works of Elvis Presley in significance.

Voting Plans Made

Daily World

Sun. 9-6-59

Plans designed to make the casting of ballots in the September 21 municipal election easy for an expected record number of Talladegans are being mapped by City Clerk Joe Gambrell.

Most of the polling places are to be located in Courthouse offices and arrangements are being made to direct voters to the proper spot with a minimum of inconvenience to them.

The tax assessor's office will be the polling place for voters of boxes 3, 5, 8 and 18.

In the Commissioners Courtroom will be boxes 1, 9, 11 and 15.

Voters of boxes 2, 7, 10 and 12 will cast their ballots in the sheriffs office.

In the tax collector's ofice will be boxes 4, 13, 14 and 16.

Signs designating those offices and the boxes to be located therein already have been prepared at City Hall and are ready to be affixed above outer doors on election day.

Other signs have been prepared to be affixed in the hallways and on outside bulletin boards.

In addition, an information booth will be set up in the main corridor where any questions will be answered.

The only other polling places will be the second floor of City Hall, for box 17, and Bemiston school where citizens residing in box 6 will vote.

Polls will open at 8 a.m. and close at 6 p.m., Mr. Gambrell said.

Atlanta, Ga.

It is being planned tentatively to set up a result board outside the Courthouse where returns will be posted as fast as they come from the hands of the election officials doing the counting.

Some 6000 Talladegans are eligible to vote.

Catholics Set To Register Negro Voters

Courier

Pittsburgh, Penna.

8-29-59

MOBILE, Ala.—A Catholic fraternal society, made up mostly of Negroes, is determined to increase the number of colored registered voters.

Local councils of the Knights of Peter Claver will report on the success of the campaign next year at a convention in New Iberia, La.

34e

SOME 700 DELEGATES to the annual fraternal convention here recently passed the resolution to get out the voters. The organization marked its golden jubilee with a five-day program of religious, social and business events.

Headquarters at New Orleans, the Knights have about 13,000 members in 22 states, but most of the members are centered in Texas and Louisiana.

The conventioin also backed a civil rights bill sponsored by Sen. Paul Douglas of Illinois.

Bishop Joseph O. Bowers, SVD, of Accra, Ghana, addressed the delegates. A native of the West Indies, Bishop Bowers was the first Negro Catholic Bishop consecrated in the United States. He was elevated to the hierarchy at Bay St. Louis, Miss., in 1958.

Voting Rights In The South

The Chicago Tribune

BY A vote of 71 to 18, the Senate has prolonged for two years the life of the federal Civil Rights Commission. This extension occupied the attention of the Senate for the greater part of the closing hours of its recently concluded session.

In the record vote, 98 of the 100 senators took a position. Including a pair and the announced stands of absent senators, the division was 79 to 19. The minority consisted of the senators from the nine southeastern states from Virginia to Louisiana, plus Senator Milton R. Young of North Dakota.

The question arises, why so small a minority made so much noise.

As Senator James Eastland (D-Miss) said in the course of the debate, "Congress created the Civil Rights Commission as a fact-finding body." And it was the facts in the commission's recent report and the certainty that more like them would come to light if the life of the commission were extended that infuriated the senators from the Deep South.

ONE such fact, cited in the Senate debate, was that in 14 Mississippi counties reported in the 1950 census as having 51,947 non-white residents of voting age, there was in 1955 not a single non-white registered voter. Another fact was the gerrymandering of Tuskegee, Ala., to exclude from that city's elections 410 of the 420 Negroes who had achieved registration in that community.

The accompanying map, reproduced from Pg. 77 of the Civil Rights Commission's report, shows the rectangle that was Tuskegee before July 15, 1957. On that date, the Alabama legislature passed an act establishing as the town's new limits a 28-sided figure, shaped roughly like a traffic arrow with a little signboard sprouting from its side. No more obvious gerrymander was ever perpetrated anywhere.

Yet another fact is that Grady Rogers, a member of the Board of Registrars for the county in which Tuskegee is located, refused to answer questions at a Civil Rights Commission hearing because, among other reasons, answering "might tend to incriminate me." Like many a communist and labor racketeer, he proclaimed that a truthful answer might land him in jail.

SODUTHERN politicians have no scruples about barring Negroes from voting lists or legislating Negro voters outside the boundaries of the city in which they live. But they do not like to have such actions brought to national attention.

The chairman of the Alabama Advisory Committee on Civil Rights, Mayor Douglas Brown of Ozark, courageously said "there was a lot reported that should have been reported" by the Civil Rights Commission. He thought that Southern officials "brought it [the report] on themselves and they should be able to take it."

Mayor Brown predicts that exposure must lead, sometimes, to corrective action: "If we're not big enough to clean up our own house, I don't see any other outcome but that someone else will give qualified citizens the right to vote — in federal elections at least."

What other outcome can the 19 senators foresee? There is no equivocation in the 15th Amendment. It says:

"The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any state, on account of race, color, or previous condition of servitude.

"The Congress shall have power to enforce this article by appropriate legislation."

Mayor Brown errs only in his notion that state and local elections are an exception.

Registration Delay Bill Is Offered

MONTGOMERY, Sept. 29 (AP)—Another bill which could be used to slow down Negro voter registration was introduced in the Alabama Legislature today by Rep. Arthur Louis Ferguson of Tuscaloosa.

It would require a six-month waiting period for prospective voters trying to register after they had been turned down once.

Registrars in some counties have complained that Negroes come back again and again. The present law requires no waiting period.

'Shouldn't be neglected'—

Alabama argues case in boundary squabble

WASHINGTON, Oct. 15 (AP)—Alabama should not be made the "neglected child in a happy Gulf family," an assistant state attorney general told the Supreme Court yesterday.

Assistant Atty. Gen. Gordon Madison argued in a case in which the government seeks to limit maritime boundaries in Mississippi, Alabama, Florida, Louisiana and Texas to three miles seaward.

At stake are large sums in royalties from oil produced from the submerged lands in the Gulf of Mexico—lands lying chiefly off the coast of Louisiana and Texas.

Spokesmen for Mississippi, Alabama and Florida told the Supreme Court that their states' claims to ownership of a wide belt in the Gulf go back beyond the formation of the United States to years when the continent was owned by European powers.

THEY TRACED their title, they told the court, back to a 1763 proclamation by George III of England setting the seaward boundary of the area six leagues, or 21 miles, into the Gulf.

Texas and Louisiana presented their arguments earlier in the week and Florida's case will be completed today.

Madison said Alabama's boundary couldn't be shrunk as it would be under the government contention.

He referred to the 1953 Submerged Lands Act which gave states the offshore subemrged lands out to three miles and gave Gulf states the right to prove their claims to an additional belt out to three leagues.

THE GOVERNMENT contends, he said, that the act gives the states the right to prove their claims but "says that we can't prove them."

Madison urged the court, in its decision, to treat all the Gulf Coast states equatably. If one state gets three leagues then all should get three leagues, he said.

Speaking for Mississippi, Attorney John H. Price Jr. said that when his state was admitted to the union, it had a six-league boundary but that the government now sought to renege on its approval of this line.

He referred to a government argument that the U. S. foreign policy has set the natural boundary at three miles and hence state boundaries cannot extend beyond that.

This position, he said, is to say that Congress, in the 1953 law, acted "with tongue in cheek." The court, he said, must give some meaning to the provision giving states the right to prove claims out to three leagues.

Additional Poll Tax

Alabama Vote Block Certain to Backfire

(Courier Press Service)

MONTGOMERY, Ala. — Moves by the State Senate to restore the former cumulative provisions of the Alabama poll tax law—avowedly to cut down Negro mass voting—seem headed for a sure backfire. The reason advanced by Negro observers being that it will knock out as many poor whites as Negroes, if honestly administered.

Last week the Senate Constitution Committee okayed a motion by Bullock County Senator Lawrence K. Andrews to restore the cumulative provisions to the existing act. Should the Senate and House both approve the measure, it must face a statewide referendum.

■

SHOULD IT BE approved there it would mean that no one will be able to vote unless he has paid $1.50 for every year between the ages of 21 and 45, or unless he is a war veteran or ex-servicewoman. The provision, further, would be retroactive.

■

BACKERS OF THE legislation admit openly that its purpose is to block mass Negro voting, but Negroes are quick to point out that it will affect many thousands of whites also. The measure was presented by a group of Black Belt Senators, headed by Senator Andrews.

Meanwhile, the white League of Women Voters plans to test the constitutionality of such legislation, should it get through the Legislature—TWA.

Informer Houston, Tex
Sat. 10-3-59

Ministers In All-Out Effort For Voting Rights

MONTGOMERY Ala — Montgomery's 50,000 Negroes are on the march again. This time they're walking for the right to vote. In December 1955, they boycotted the city's buses in protest over discrimination.

The spotlight was on Montgomery again in December 1958 when the U. S. Civil Rights Commission held hearings here and a parade of Negro witnesses gave impressive testimony on the methods used in Alabama to deny them the vote. Today, the same ministers, who with their congregations joined in the historic bus boycott, are leading their people to the registration office in an all-out effort to break down the entrenched opposition to Negro voting participation.

Organized labor, fraternal groups, social clubs, farmers, laborers, domestics, and business and professional people have pitched into the campaign. Said a spokesman: "There isn't any difference. The same crowd that's against labor is against Negroes, civil rights and little people period. That's why they don't want us to have the vote."

To spur the registration drive, recently, a dozen clergymen took off their clerical garb and formed a "shirtsleeve platoon" to ring doorbells in the huge Victor Tulane Housing project, an all-Negro- occupied dwelling. These included Reverends King, Robert E. DuBose Jr, Church of the Good Shepherd, Episcopal; Ralph Waldo Wilson, St John AME; E. D. Bell, Revelation Baptist and Mt Olive Baptist (one of the churches destroyed by bombs); Hillman H. Hubbard, Bethel Baptist; Ralph D Abernathy, First Baptist; Solomon Seay, executive secretary of the Montgomery Improvement Association; B. D. Lamert, Maggie Street Baptist; William J. Powell, Old Ship AME Zion; A. W Wilson, Holt Street Baptist; and G Franklin Lewis, First Congregational Church.

The ministers were accompanied by members of "Club 21," a new organization of alert young people either approaching or who have already reached 21 the normal voting age. This group is providing a fresh stimulus to the campaign. Eager to vote themselves, they are using all their energy to pound pavements and do a "Paul Revere" job of stirring their elders to go down to the registrar's office time after time.

Coordinator of the drive is Rufus "Coach" Lewis, a local undertaker and former athletic instructor at Alabama Teachers' College. Reverend Seay is the chairman of the Central Committee. Current registration opened in June and wil close October 17.

(X)

group action

Making Door To Door Contact

DR MARTIN L. KING is shown with two of his co-workers as they canvass residents of the Victor Tulane Housing project in the second phase of the program, the door-to-door appeal. In this way, leaders of the registration drive expect to touch every potential Negro voter in the city.

Two Dallas Registrars Refuse Job

The Talladega Daily Home
Talladega, Ala.
Oct. 15-19-59

MONTGOMERY (AP) — Only one of three newly named voter registrars in Dallas County, scene of a renewed federal inquiry into Negro voting rights, has said he will accept the job.

"I'm not worried about the investigation," said J. P. Majors of Safford after he was reappointed to another four-year term Wednesday. "Of course I'll serve."

But the other two newly appointed Dallas registrars, Aubrey Allen and Dr. High Underwood, both of Selma, said they didn't know they had been chosen and refused to say whether they will serve. Allen was named chairman.

FBI agents have reopened an investigation of Negro complaints of discrimination in heavily Negro - populated Dallas County.

It is the only Alabama county where federal investigators are known to have renewed the vote probe made by the U. S. Civil Rights Commission in Dallas and five other counties late last year.

So far there have been no developments in the Dallas County case since Gov. John Patterson disclosed several weeks ago that FBI agents are looking into alleged denial of Negro voting rights there again.

The Talladega Daily Home

WASHINGTON REPORT

More States Rights Erosion

Supreme Court Likely To Take Away States' Voting Qualification Prerogatives In 1960

BY JAMES FREE
News Washington Correspondent

WASHINGTON

THERE ARE STRONG signs that another historic state's right will bite the dust in 1960. This is the right given the states in the Constitution to fix voter qualifications within their borders.

Last Monday, the Supreme Court of the United States decided to review the Macon County, Alabama, voting rights case. Several weeks earlier the court had agreed to review the Terrell County, Georgia, voting rights case. In the near future the high tribunal likely will agree to review a third voting rights case that the Justice Department lost in lower federal courts in the South, this one in Louisiana.

New National Voting Policy Can Be Expected

IN ONE OR MORE OF THIS TRIO of appeals, the Supreme Court can be expected to set new national policy in the qualification of voters—just as it set new national policy in public school operations by its desegregation decision in 1954. The end result in 1960 would be comparable to that already on the way to achievement from the desegregation decision six years ago: to eliminate the exclusive power of a state in a particular field.

It may be tough for the court to write new procedures by which local authorities can be compelled to qualify certain Negro voters. But having tackled procedures for forcing local authorities to admit certain Negro students to specific public schools, the justices would hardly shy away from a new challenge.

Georgia Case Likely First To Be Heard

ALABAMIANS MAY AS WELL keep a close watch on the Georgia case, for the Supreme Court will get to it first. It would be the upset of the century, of course, if the high court upheld the federal judge in Georgia who ruled that the Civil Rights Act of 1947 was unconstitutional. Basis for the ruling was that the 15th Amendment protects against denial of civil rights by a state, while the Justice Department tried to sue voting registrars as individuals.

One key argument by attorneys for the Georgia registrars is the same as that made in the Macon County case by Alabama Attorney General MacDonald Gallion. It is this: The Justice Department claims that local registrars discriminated against certain persons seeking to qualify as voters. Such discrimination is against state law in both Alabama and Georgia.

So, the argument continues, if a registrar performs acts of discriminaiton that are illegal under state law, he cannot be regarded as an agent of the state in those acts.

Plaintiffs By-Pass The State Courts

THE ALABAMA AND GEORGIA cases are similar in another respect. In each, relief from alleged discrimination is sought in federal courts when no previous effort was made to get such relief in state courts.

This very factor caused the Supreme Court to turn down two school desegregation case appeals last year from North Carolina, and to reject an appeal in a Virginia case concerning the rights of the NAACP to refuse to give certain records to a committee of the General Assembly.

In the Carolina cases, the high court said that it would not review cases in which the Negro principals had failed to exhaust all administrative remedies available under state law. In the Virginia case, the Supreme Court said that a ruling should have been sought in state courts before the case was brought into federal court.

THIS SAME KIND OF legal reasoning would mean at least a partial victory for Alabama and/or Georgia in the pending cases.

The Alabama case is vital for both sides, due to the issue of whether a resigned local official can be sued under the Civil Rights Act of 1957 for acts done while in office. If the answer is "yes," then the tactic of vacating a board by resignation will be frustrated. And the department says this is a must, if aims of the Civil Rights Act are to be achieved.

How Can U. S. Compel State To Take Action?

THE ATTORNEY GENERAL has made it plain that if the government wins the Alabama case, he will take legal action against Gov. John Patterson and other state officials who have the duty to fill vacancies in the Board of Registrars in Macon County.

That board has been vacant for many months, although Gov. Patterson on at least one occasion has tried to appoint new registrars. The men he picked declined to accept the appointment.

This could raise some delicate points of law. How could the Justice Department prove that the governor had not made a sincere attempt to fill the vacancies? If Patterson said he could find no qualified persons willing to serve, how could his statements be disproved?

As we have noted, some very complex points of law will be involved when and if the U. S. Supreme Court undertakes to rewrite national policy so that federal rather than state authorities can have the final say on qualifying voters.

But the rewriting project seems in the offing just the same. Nineteen sixty will tell the story.

VOICE OF THE PEOPLE

Patterson's Assurance On Democrats, Kennedy

I'm sure all the people in Alabama were greatly relieved by Gov. Patterson's endorsement of Sen. Kennedy and also by his assurance that the Democratic Party will win in 1961.

The state of Alabama has always been happy when the Democratic Party wins an election. Since Mr. Eisenhower won the last two elections with such an overwhelming majority, we have all had fears that the Democratic Party may have lost some of its strength.

However, since the Democratic Party led such a courageous fight for integration and civil rights these past few years, we can feel assured they regained much of their strength. Now that Gov. Patterson seems to feel there is a possibility he may be the running mate of Sen. Kennedy, we know the South will be well appeased.

Let's hurry and send for our tickets to the Democratic Convention. We must not have the governor of Alabama sitting in the peanut gallery.

MRS. CHRISTINE HALL,
Route 2, Box 20-A, Columbiana, Ala.

Registrars May Not Be Allowed To Quit

By REX THOMAS

SELMA, Ala. (AP)—If a new federal investigation results in a federal court suit in Dallas County, election officials may find themselves barred even from resigning to keep from registering Negro voters.

Justice Department officials, who ordered federal agents back into the west Alabama county to check again on complaints of discrimination, have refused to discuss the possibility of an injunction suit.

Complaints that Negroes were denied the right to vote because of their race brought a suit in Macon County nearly a year ago. Its purpose was to prevent registration officials from rejecting any prospective Negro voter who meets the qualifications fixed by law.

The chairman of the Dallas County Board of Registrars, J. L. Tackett of nearby Marion Junction, says he wouldn't be surprised to see a companion suit filed in this county where Negroes outnumber white residents nearly 2-1.

Despite the preponderance of Negro population, only some 520 of them are registered to vote compared with an estimated 8,000 white voters.

Dallas was one of six Alabama counties where federal Civil Rights Commission agents looked into complaints from rejected Negroes last year. Grand juries impounded registration records in Dallas and four other counties to keep them out of the hands of the commission investigators.

Gov. John Patterson disclosed two weeks ago that agents of the Federal Bureau of Investigation were checking into Negro registration.

Only in Macon County did the Justice Department file an injunction suit in the wake of the inquiry last year. It was thrown out of court because one registrar had died and the other two had resigned, and consequently, there was no one left to take action against. The government, insisting among other things that the registrars had no right to resign, has appealed to the Supreme Court.

Alabama law says registrars, appointed for four - year terms, may hold office until their successors are appointed. The Justice Department argued that "may" in that instance means "must."

U.S. Dist. Judge Frank M. Johnson Jr., who heard the case in Montgomery, ruled that the registrars in Tuskegee had a legal right to quit. One had been elected to the Legislature, the other had been appointed to another office.

But Johnson added this significant note of warning: "nothing stated in this opinion should be construed to mean that this court sanctions or will sanction the proposition that registrars are free to resign at will, indiscriminately and in bad faith, and thereby cast off all of their responsibilities and obligations as such officers."

State Advisory Committee On Civil Rights To Convene

The Alabama Advisory Committee to the federal Civil Rights Commission will meet here Wednesday.

Mayor Douglas Brown of Ozark, chairman of the committee, said the meeting will be open to the public. It starts at 2:30 p.m. in the Court of Appeals room at the Federal Building-Postoffice.

Purpose of the meeting, he said, was to hear the report of the commission to the president.

Brown had said after a meeting here in July that no further meetings of the committee would be held. At that meeting, held at Maxwell AFB, sworn affidavits submitted by nine Montgomery Negroes alleging denial of voting rights.

The complaints were forwarded to the federal agency by the committee without any investigation.

At the time Brown described the meeting of the committee as probably its last, it had been expected that the present Civil Rights Commission might be dissolved.

William H. Swann, a consultant to the commission, is to report on "pertinent parts" of the Civil Rights Commission's report to the President to the Alabama committee.

The role of the state group is to allow local handling of a number of civil rights matters which would otherwise be decided on by federal authorities. The committee also advises the Civil Rights Commission on Alabama developments pertaining to civil rights.

State Officials Bristle Over New Rights Probe

SELMA, Oct. 30 (AP)—State and local officials bristled today over a renewed civil rights inquiry into alleged racial discrimination by voter registrars in Alabama.

Gov. John Patterson announced in Montgomery Thursday that FBI agents are making inquiries about civil rights matters in Dallas County. He vowed that

"We will fight them (agents) at every turn. They will find it uphill and hard going all the way."

And Circuit Solicitor Blanchard McLeod said today the investigation apparently is "a criminal investigation against members of the Board of Registrars."

J. L. Tackett, chairman of the Dallas County Registration Board, said two FBI agents advised him they were looking into Negro complaints of discrimination.

"I'm not worried a bit about the investigation," said Tackett. "I think the board treated everyone fairly, regardless of color."

The other two members of the board said they had not talked with the FBI about the investigation.

Records of the Registration Board have been in the hands of a grand jury since they were impounded during an earlier investigation in October, 1958.

McLeod said that if this is a criminal investigation, "it immediately becomes my duty, the duty of the Alabama attorney general and every other legal officer in the state, to step forward and protect them as public officials."

Dallas County has a population of about 60,000 with approximately half of that number in the city limits of Selma.

An estimated 8000 white persons are registered to vote compared with about 200 Negroes.

Dallas County is one of six South Alabama counties where the U. S. Civil Rights Commission made a bitterly opposed investigation of Negro voting complaints last year.

Alabama Acts To Curb Voting, Integration

Montgomery, Ala., (AP)—In another sweeping attempt to tighten the already taut ropes of racial segregation in the state, the Alabama legislature this week passed bills to finance private segregated schools and halt the increasing tide of Negro voter registration.

Most of the action came in the closing minutes of the legislatures 1959 sessions here. The bills, which received little opposition, were sent immediately to Governor John Patterson for his signature. Patterson, whose stand in the past has called for rigid segregation, is expected to sign the measures.

Under the terms of the new laws, the school amendment would allow the state to allot public funds directly to private schools that have closed because of orders to integrate. The bill was patterned after an existing law which permits the use of state money to private colleges.

Another measure to authorize the state to school tuition to a student even though his school is not under a threat to integrate was also approved.

Actions

Most significant for Negro citizens of Alabama were the three actions that dealt with voting registrars. The first allows a Board of Registrars to use 12 days a year ot catch up on it's paper work. The second allows the registrars to spend up to 20 days in each even numbered year visiting the precincts within the district and registering only those applicants within the precinct.

Since the boards now are required to meet about 58 days a year, the new action would reduce the time that would be available to interview new voter applicants.

Approximately 12 days for clerical work coupled with the alloted 20 days under the new law, the registrars would be present to receive new prospective voters only 26 days.

The third measure would make it mandatory for all courts to report to the boards of registrars those convictions that could disqualify a person from voting.

New Vote Registrars Expected For Dallas

Dallas County, where FBI agents are investigating Negro voting complaints, may be among the Alabama counties expected to get new voter registrars soon.

The three state officials who appoint registrars, Gov. John Patterson, Agriculture Commissioner R. C. (Red) Bamberg and State Auditor Mary Texas Hurt Garnett conferred last Friday, but no new appointments were announced then.

Terms of registration board members throughout the state expired Sept. 30, but law requires them to hold office until their successors are named. New boards in 21 counties were chosen last week.

SCHOOLS, REGISTRATION

Patterson Signs Segregation Bills

Gov. John Patterson has signed into law three powerful bills aimed at school integration and mass registration of Negro voters.

They were among a batch of measures he signed Friday.

Two of the bills cut down on the number of days registrars are available for general voter registration. Neither mentions race but both are admittedly designed to maintain white voter strength.

The other authorizes state funds for financing private schools. The state already has a law permitting the use of state money to subsidize private schools where public scholos are closed or turned over to citizens' groups.

The new bill is patterned after an old law which permits state appropriations for private colleges. Tuskegee Institute, a Negro college, gets state money under the act.

Segregationists may challenge the appropriation for Tuskegee Institute to get a test case into court.

These segregationists contend that if the state can appropriate money for private colleges it can appropriate funds for lower level educational institutions.

The governor has indicated he is inclined to let yet another school bill die on his desk. It would permit payments to students for attendance at private schools even though public schools in their area remain open. If it isn't signed by Sunday night, the bill will be dead.

One of the registration bills permits registrars to close their doors to applicants on 12 days each year. The time is alloted for clerical work.

The other permits registration boards to spend 20 days in even numbered years visiting precincts. There is no restriction on which precincts must be visited. They are presently required to visit each precinct at least once in odd-numbered years.

Only residents of a precinct can apply for voting privileges while the board is visiting in that precinct.

Answer to CRC report—

Bill would reduce Negro voting time

MONTGOMERY, Ala., Sept. 9—(AP)—A legislative committee answered a U. S. Civil Rights Commission report on voting procedure today with quick approval of bills that would allow less time for Negro registration in Alabama.

The Senate committee on privileges and elections reported out first a measure authorizing registration officials to use part of their required meeting time for clerical work.

NO APPLICATIONS would be received from prospective voters while the work was being done.

Then the committee speedily approved another bill to allow registrars to spend at least 20 of their meeting days every other year in precincts outside the courthouse where business usually is transacted.

They are already required to visit each precinct in the county for at least half a day in odd-numbered years.

Registrars are required to meet the first and third Mondays in each month. Some counties have additional time under special laws.

The two measures sponsored by Sen. Lawrence K. Andrews of Bullock County would apply to every county in Alabama, but are designed especially for Macon County, where Negroes outnumber white residents nearly 6-1. Andrews' senatorial district includes Macon.

REP. GRADY ROGERS of Macon, a former member of the Board of Registrars in his county, explained that when the registrars are visiting a precinct, only Negroes living in that precinct could apply for registration.

But when the board meets at the courthouse as it must do now except occasionally in odd-numbered years, Negroes can come in from any part of the county.

Macon was one of the counties where the Civil Rights Commission investigated voter registration procedure last year after Negroes complained they were discriminated against.

Later hte Justice Department filed a suit to prohibit the Macon County Board from denying the right to vote to qualified Negroes. The suit was dismissed in Federal Court because the Registration Board of which Rep. Rogers was a member had resigned.

No board has functioned in Macon County since last December, when the federal investigation was made.

Justice Dept. Unexcited By Patterson's Barbs

WASHINGTON, Oct. 30 — The Justice Dept. and the Civil Rights Commission today declined to get excited about Alabama Gov. John Patterson's criticism of "interference from Washington" in the investigation of Negro voter complaints.

A spokesman for the Civil Rights Commission said it had an investigator in Dallas County, Ala., for a full week but that he has now returned.

"When the investigator came to Alabama, he saw the attorney general," the spokesman said, "and was greeted even cordially."

"He also talked to Ed Strickland who is on the governor's staff and a personal friend, so we assume that Patterson knew our investigator was there," the spokesman said.

The commission noted it must investigate any sworn complaint and that it was continuing to receive complaints from Dallas County.

Joseph Ryan, acting head of the Civil Rights Division of the Justice Department said his office has several investigators in Alabama and also in other Southern states.

He said Patterson's order to Alabama officials not to co-operate with investigators wouldn't hamper operations because "they have not co-operated too much so far."

Double Suit Likely In FBI Vote Probe

SELMA, Ala., Nov. 14 (AP)—If a new FBI investigation results in a federal court suit in Dallas County, election officials may find themselves barred even from resigning to keep from registering Negro voters.

Justice Department officials who ordered federal agents back into the west Alabama county to check again on complaints of discrimination have refused to discuss the possibility of an injunction suit.

But similar complaints that Negroes were denied the right to vote because of their race brought a suit in Macon County nearly a year ago. Its purpose was to prevent registration officials from rejecting any prospective Negro voter who meets the qualifications fixed by law.

* * *

THE CHAIRMAN of the Dallas County Board of Registrars, J. L. Tackett of nearby Marion Junction, says he "wouldn't be surprised" to see a companion suit filed in this county where Negroes outnumber white residents nearly 2-1.

Despite the preponderance of Negro population, only some 520 of them are registered to vote, compared with an estimated 8,000 white voters.

Dallas was one of six Alabama counties where Civil Rights Commission agents looked into complaints from rejected Negroes last year. But grand juries impounded registration records in Dallas and four other counties to keep them out of the hands of the inquiring commission investigators.

* * *

GOV. JOHN PATTERSON disclosed two weeks ago that FBI agents were back in Dallas checking into Negro registration.

Only in Macon County did the Justice Department file an injunction suit in the wake of the inquiry last year. It was thrown out of court because one registrar had died and the other two had resigned, and consequently, there was no one left to take action against. The government, insisting among other things that the registrars had no right to resign, has appealed to the Supreme Court.

Alabama law says registrars, appointed for four-year terms, "may hold office . . . until their successors are appointed." The Justice Department argued that "may" in that instance means "must."

34e 1959

ALABAMA

BESSEMER, ALABAMA VOTERS' LEAGUE
MR. ASBURY HOWARD

Alabama Voters League President Is Released From Prison

Bessemer, Ala. — Asbury Howard, president of the Bessemer Voters League, was freed recently after serving five months of a six-month sentence on an Alabama work gang for advocating the right of colored citizens to register and vote.

Mr. Howard, who is also an international vice president of the Mine, Mill and Smelter Workers International Union, was jailed after he ordered a large painted here last Feb. 23, and fined $100, reproduction of a newspaper cartoon showing a colored man in chains saying:

"Lord help all Americans to see that you intended human beings to have the same rights."

The painting, which also bore the slogan: "Vote Today For A Better Tomorrow," had been intended for posting in the Bessemer Voters' League hall in connection with a register and vote drive then under way.

Following his arrest, Mr. Howard was severely beaten by a mob of white men just outside the Bessemer City Hall in the presence of police officers, who made no attempt to prevent the assault.

Several hundred persons greeted Mr. Howard as he stepped from the automobile of his lawyer, David H. Hood Jr., on his way from jail.

In response to the ovation given him, Mr. Howard declared that the fight for first-class citizenship had just begun and that "We as a race cannot let up for a minute lest we lose a few gains already accomplished."

"The cost of freedom comes high" he declared, "and we must all be willing to pay the price. Though I have been jailed, in my opinion wrongfully, I still have confidence that justice and fair play ultimately will win out.

"I hold no malice, hate or ill-will for anyone for the unjust suffering I have been caused; it is but a small part of the cost of first-class citizenship."

34e 1959

ALABAMA

M A Y - 1959
CIVIL RIGHTS COMMISSION (VOTING)

Alabama Vote-Suit Reinstatement Asked

NEW ORLEANS, May 1 (UPI) — The United States Civil Rights Commission asked a Federal Appeals Court here today to reinstate a Negro voter-discrimination suit against the State of Alabama.

The Fifth U. S. Circuit Court of Appeals took the plea under consideration and said it would hand down a ruling later. The original suit thrown out by a Federal District Court judge March 6, charged that 20 Negroes in Macon County, Ala., were denied voting rights.

The appeal, filed by the Justice Department, sought to overturn the ruling by District Judge Frank M. Johnson Jr., in Montgomery, which held that the Civil Rights Commission was powerless to sue a sovereign state.

Hits at Judge's Ruling

U. S. Assistant Attorney Gen. W. Wilson White, head of the Justice Department's Civil Rights Division, argued before the Appeals Court that any state could be sued just as a corporation that violated the law.

White also hit at Judge Johnson's ruling holding that since the Macon County Board of Registrars had resigned, there was no one to be named as a defendant.

"The vacuum caused by the resignations of the registrars cannot be tolerated," he said. "The fact that the Board of Registrars members are absent is of no consequence.

"There is a serious disparity of the registration of Negro and white voters which is the direct result of State action," he added to support his argument that the State is responsible for the actions of its officials.

Registration Up

"We would be shutting our eyes to say that the State is unaware that Negroes do not have equal voting rights with whites."

Assistant State Attorneys General Gordon Madison and Nichols Hare, arguing against renewal of the suit, said the Registrars had every right to resign. Hare also said Negro voter registration in Alabama had increased 2500 per cent in 12 years, and Alabama now had 70,000 registered Negro voters.

Hare asked the 3-judge Appellate Court panel:

"What kind of a Pandora's box would you gentlemen be opening if you allowed the Government to sue the sovereign states?"

(On April 17, U. S. District Judge T. Hoyt Davis ruled at Macon, Ga., in another suit filed by the Civil Rights Commission involving alleged Negro voter discrimination in Terrell County, Ga., that the injunctive section of the 1957 Civil Rights Act was unconstitutional).

GOV. JOHN Patterson (foreground) heard officials of the Alabama League of Women Voters outline their legislative program today. Left to right are Mrs. I. Berman, Montgomery, president, Mrs. Frederic Ogden, Tuscaloosa, and Mrs. E. S. Watts, Montgomery.

VOTING MACHINES URGED

League Of Women Voters Confers With Governor

By FORREST CASTLEBERRY
Journal Staff Writer

Top officials of the Alabama League of Women Voters sat down with Gov. Patterson today for an informal discussion of their legislative program which calls for:

(1) Statewide use of voting machines;

(2) Statewide reidentification of voters;

(3) Reduction of residence requirements for voter registration;

(4) Opposition to reinstatement of the cumulative feature of the poll tax.

Mrs. I. Berman of Montgomery, the organization's president, was spokesman for the group. Others present were:

Mrs. R. F. Futrell, Montgomery, first vice president; Mrs. Donald Pierce, president of the Wetumpka league; Mrs. E. S. Watts, Montgomery, publicity chairman; Mrs. John Pancake and Mrs. Frederic Ogden, both of Tuscaloosa, members of the legislative committee; Mrs. H. W. Hoile, Birmingham, water resources chairman.

The league's program at the present time was described as:

(A) Study of state finance and taxation system:

(B) Support and promotion of measures which will strengthen the enforcement of registration laws and which will reduce state and county voter registration requirements;

(C) Support and promotion of adequate council-manager enabling legislation.

The state organization is composed of local leagues in thirteen cities: Anniston, Auburn, Birmingham, Dothan, Florence, Guntersville, Huntsville, Mobile, Mongomery, Selma, Sheffield, Tuscaloosa and Wetumpka.

Women Voters Outline 1961 Goal To Governor

The Alabama League of Women Voters outlined its 1961 legislative program to Gov. Jon Patterson Tuesday and the chief executive indicated he looked with favor upon the main objectives of the group.

A delegation of seven League officials conferred at length with Patterson discussing the organization's program as well as its legislative aims.

Its legislative program is aimed specifically at election law reforms, namely:

1. The statewide use of voting machines.

2. A statewide reidentification of voters.

3. A reduction in the residence requirements for voter registration.

4. Opposition to the reinstatement of the cumulative feature of the poll tax.

Mrs. I. Berman, Montgomery, state president of the League, also told the governor that the group included in its overall program a series of studies relating to water resources, state financing and legislation to promote adequate council-manager municipal operations.

Patterson expressed considerable interest in the election law reforms, citing instances where the use of voting machines had done a great deal of good. He also spoke out in support of a a statewide reidentification of voters.

The governor, in hearing of the study of state finances, recalled his futile eftorts to equalize property taxes in Alabama.

"We tried to equalize but it developed into a political fight and we had to back off for political reasons," he said. "Education is our big problem and the school people are going to have to take a good look at themselves. They can't keep coming back every 15 years or so and asking for new taxes to bail them out with."

He commended the League for its water resources study, noting that "great things are in store for Alabama" in the future when the state's rivers can be properly developed.

Patterson backed off with a smile when one of the League delegates asked him which Tennessee River-Mobile Bay canal he favored—from Guntersville Lake to the Warrior or from the Pickwick Lake to the Tombigbee.

"I wouldn't want to get involved in that," Patterson answered with a smile. "I would really stir up some politics. Both canals would be good."

League officials attending the conference other than Mrs. Berman included Mrs. R. F. Futrell, Montgomery; Mrs. Donald Pierce, Wetumpka; Mrs. John Hoile, Birmingham; Mrs. Frederic Ogden and Mrs. John Pancake of Tuscaloosa.

League Finds White Voters Far In Lead

The League of Women Voters is vigorously opposing the plan throughout the state.

A survey of voter registration in Montgomery County since the repeal of the cumulative poll tax amendment in 1953 shows that the number of new white voters far outnumbers new Negro voters.

The comprehensive registration study was made by the Montgomery League of Women Voters in an effort to show that the restoration of the cumulative poll tax would work a greater hardship on white women that Negro voters.

Specifically, new white registrants in the county have outnumbered Negro registrants by a margin of approximately eight to one.

MOSTLY WHITES

The survey showed that during a four and one-half year period from November, 1953 through May, 1958, there has been 11,649 new registrations in the county.

Of this total 10,343 were whites, only 1,306 were Negroes. And of the new white voters, roughly 60 per cent were women—6,158 to be exact.

The league, in a statement issued in conjunction with the release of the local survey, insisted it was not its purpose "to argue the pros and cons of Negro registration as such."

"Our study indicates that the group most to be penalized would be white women voters," the league statement said.

'DISPEL MYTH'

The league said that it felt the results of the survey would "dispell the myth that Negro voter registration in our county is 'approaching the danger point'."

A measure has already been introduced in the Legislature (Senate Bill 51) under the sponsorship of Sen. L. K. Andrews of Bullock which would restore the cumulative feature of the poll tax.

At the present time the maximum poll tax collectable is $3, but under the Andrews bill the tax of $1.50 a year could accumulate to as much as $36

Negroes' Votes Called Answer in Little Rock

Post
Washington, D.C.
Aug 29 1959

A Little Rock lawyer said yesterday that racial troubles will continue to plague his city as long as Arkansas Negroes fail to vote.

Edwin E. Dunaway, president of the Little Rock Urban League, asserted that if 25 per cent of the Negroes voted, Gov. Orval E. Faubus would never have closed the Little Rock high schools or encouraged violence when they were reopened.

Speaking from the floor of the National Urban League Convention at the Sheraton-Park, Dunaway, who is white, declared that a mob which he said was supported by the Governor had "failed miserably" in its opposition to token integration in two high schools.

Commenting later on three Tuesday night bombings in the Arkansas capital, Dunaway said they were the "work of crackpots." He said there is no danger of sustained violence in Little Rock because violence is deplored by "the city's decent people, including the segregationists."

But Dunaway insisted there will be no lasting improvements until more Negroes help elect public officials. He said Arkansas permits Negroes to vote freely in most sections of the state after paying a $1 poll tax.

Dunaway said he was a former County Prosecutor and Associate Supreme Court Justice, and former Faubus supporter.

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ARKANSAS

House Committee Orders Probe Of Alford Election

WASHINGTON (AP)—An investigation of the election in Arkansas last fall of Rep. Dale Alford was ordered Wednesday by the House Administration Committee. It will parallel an inquiry started last month by a federal grand jury.

By a 12-11 vote, the committee approved a resolution directing that the investigation be completed "at the earliest possible time." It will be conducted by a subcommittee headed by Rep. Robert T. Ashmore (D-SC).

The action is in line with an informal request by the defeated incumbent, Rep. Brook Hays, who last week asked the committee to find out if his upset was due to voting frauds.

Both Alford and Hays are Democrats from Little Rock. Alford ran as a write-in segregationist candidate. Hays, the Democratic nominee and a veteran of 16 years in the House, called himself a moderate on the segregation issue. Alford won by some 1,200 votes of more than 60,000 cast.

Although the question of irregularities has been raised since his election, none of these charges has been pointed at Alford personally.

Hays said he is not contesting the election but favors an inquiry because of his concern over the integrity of the ballot. Another reason, he said, was that a special House committee recommended such an investigation when it looked into the election last December.

Alford, informed of the committee's action Wednesday, repeated that, "I welcome an investigation on a fair and impartial basis."

"I know," he added, "that when all the information has been gathered that the committee desires it will know that my election was the wish of the majority of the people of the 5th Congressional District."

The committee's vote on a resolution by Rep. Frank Thompson (D-NJ) was taken behind closed doors. Committee members said six Republicans and Six Democrats voted for the investigation, with two Republicans and nine Democrats opposing it.

Strong Hot Springs Negro Vote Elected Alderman

In Hot Springs, Ark., the Negro vote was strong enough to elect a Negro councilman, Fred Martin, who served for two years.

A vigorous campaign is presently underway to boost total Negro vote of total state under the Negro Voters association successor to the old organization headed by Robinson for 25 years.

President of the new association is I. S. McClinton, who owns a trucking firm.

Cooperating in this effort is the state NAACP of which dynamic Daisy Bates is president. NAACP units throughout the state are pushing the vote drive.

One of the principal projects of the NAACP until it got drawn into the Central high school situation was the voters drive. In Little Rock, where 75 - year old L. C. Crenshaw is NAACP president, the importance of the vote has been clearly demonstrated during the school crisis.

SIDELIGHT

An interesting sidelight in the Negroes' fight for inclusion in the state Democratic organization concerns Orval Faubus.

In 1944 when Robinson made a plea before the state central Democratic committee to delete the word "white" from the party conseconded the motion with a speech supporting Robinson's plea on behalf of Negroes.

The motion passed and paved the way for Negro participation in the local party primaries which are tantamount to elections.

It is generally conceded that it was the Negro vote that made Faubus governor he first time.

L. C. Bates' tabloid Arkansas State Press provides one of the most dramatic episodes in the story of the struggle for integration in schools in Little Rock.

FOUNDED IN 1941

Founded by Bates in 1941, the paper is described in the mast head as "a reader's paper, non-political, non - sectarian, independent, constructive and with a program to integrate the Negro in all phases of community activities as American citizens."

Over the years it has held steadfastly to its purpose in much the same way as most Negro papers. As the only locally - published organ of the Negroes in the state, it enjoyed a comfortable circulation. Bates estimates that 25 per cent of his circulation was white.

Almost equal proportions of local and national advertising provided a comfortable income for Bates and his active wife, Daisy who spends full time in the paper's office, then dashes home ahead of her husband to play the role of housewife and host to their many guests.

OUTSPOKEN

The effectiveness of the job, is indicated by the violent efforts to run Bates out of town and starve out his paper.

Bates knew that taking a forthright stand on the school issue would result in the loss of advertising from local sources, but he was not prepared for the letters he received from most of his national advertisers stating that they would have to withdraw their accounts.

It was clear what had happened. Rabid and influential segregationists had threatened the concerns with a boycott unless they withdrew their ads from Bates' paper.

Arkansas Vote Faces Inquiry

WASHINGTON (AP)—An investigation of the election in Arkansas last fall of Rep. Dale Alford was ordered Wednesday by the House Administration Committee. It will parallel an inquiry started last month by a federal grand jury.

By a 12-11 vote, the committee approved a resolution directing that the investigation be completed "at the earliest possible time." It will be conducted by a subcommittee headed by Rep. Robert T. Ashmore (D-SC).

The action is in line with an informal request by the defeated incumbent, Rep. Brook Hays, who last week asked the committee to find out if his upset was due to voting frauds.

House Body Orders Arkansas Vote Probe

Washington, April 15 (AP)—An investigation of the election in Arkansas last fall of Representative Dale Alford was ordered Wednesday by the House Administration Committee. It will parallel an inquiry started last month by a federal grand jury.

By a 12-to-11 vote the committee approved a resolution directing that the investigation be completed "at the earliest possible time." It will be conducted by a subcommittee headed by Representative Robert T. Ashmore (D., S. C.).

The action is in line with an informal request by defeated Representative Brook Hays, who last week asked the committee to find out if his upset was due to vote frauds.

Both Alford and Hays are Democrats from Little Rock. Alford ran as a write-in segregationist. Hays, the Democratic nominee, a veteran of 16 years in the House, called himself a moderate on the segregation issue. Alford won by about 1,200 votes of more than 60,000 cast.

Hays Says He's Concerned Over Integrity of Ballot

Although the question of irregularities has been raised since his election, no charges have been pointed at Alford personally.

Hays said he was not contesting the election but favored an inquiry because of his concern over the integrity of the ballot. Another reason, he said, was that a special House committee recommended such an investigation when it looked into the election last December.

Alford, informed of the committee's action Wednesday, said, "I welcome an investigation on a fair and impartial basis."

The committee's vote was behind closed doors. Members said six Republicans and Six Democrats voted for the investigation, with two Republicans and nine Democrats opposing it.

House Panel Orders New Alford Probe

Election Defeat of Rep. Hays Will Be Examined Again

WASHINGTON (AP)—An investigation of the election in Arkansas last fall of Rep. Dale Alford was ordered Wednesday by the House Administration Committee. It will parallel an inquiry started last month by a federal grand jury.

By a 12-11 vote, the committee approved a resolution directing that the investigation be completed "at the earliest possible time." It will be conducted by a subcommittee headed by Rep. Robert T. Ashmore (D-SC).

The action is in line with an informal request by the defeated incumbent, Rep. Brook Hays, who last week asked the committe find out if his upset was due voting frauds.

WRITE-IN WINNER

Both Alford and Hays are Democrats from Little Rock. Alford ran as a write-in segregationist candidate. Hays, the Democratic nominee and a veteran of 16 years in the House, called himself a moderate on the segregation is-

sue. Alford won by some 1,200 votes of more than 60,000 cast.

Although the question of irregularities has been raised since his election, none of these charges has been pointed at Alford personally.

Hays said he is not contesting the election but favors an inquiry because of his concern over the integrity of the ballot. Another reason, he said, was that a special House committee recommended such an investigation when it looked into the election last December.

WELCOMES PROBE

Alford, informed of the committee's action Wednesday, repeated that, "I welcome an investigation on a fair and impartial basis."

"I know," he added, "that when all the information has been gathered that the committee desires it will know that my election was the wish of the majority of the people of the 5th Congressional District."

HAYS PLEASED

Hays, in St. Paul, Minn., to speak at MacAlester College, said he was "very pleased" about the committee action.

"One thing I am sure of," he said, "even if the majority of the people of Arkansas prefer Alford, an even larger majority would insist on decent and honest elections."

He said the investigation will give Congress "an opportunity to strike againat corruption in elections. "He asserted," The known and shocking irregularities should be exposed. The issue is a purging of these unwholesome elements, and not the personal question of whether Alford or I should hold the seat."

PARTIES DIVIDED

The committee's vote on a resolution by Rep. Frank Thompson (D-NJ) was taken behind closed doors. Committee members said six Republicans and six Democrats voted for the investigation, with two Republicans and nine Democrats opposing it.

Before ordering the inquiry, the committee turned down a motion by Rep. Robert Corbett (R-Pa) to defer action until the grand jury finishes its probe.

Rep. Omar Burleson (D-Tex), chairman of the committee, said federal authorities who have investigated the election will be asked to provide the committee with any documents available. Ballots and other election records have been impounded by the grand jury which began its inquiry last month.

The FBI made an inquiry into what it called two specific complaints of irregularities and turned a report over to the grand jury last month. The sources of the complaints were not identified publicly.

One of these complaints charges that in certain precincts more ballots were counted than there were persons registered to vote. The second alleges that anonymous campaign literature, prohibited by federal statutes, was circulated.

U. S. Jury Orders Re-Check Of Arkansas Ballot Boxes

Birmingham Herald
Birmingham Ala
Sat 3-28-59

LITTLE ROCK, Ark. — (UPI) — A federal grand jury, after hearing FBI agents testify that there were irregularities in the November 4 election in which Rep. Dale Alford, D.-Ark. defeated former Rep. Brooks Hays, has ordered that all ballot boxes in the race be impounded for a re-check.

The 22-member grand jury then adjourned until March 31. The U. S. marshal's staff here will collect the ballot boxes from the six central Arkansas counties which make up the state's Fifth Congressional District.

Alford, a Little Rock eye doctor, decided to run against Hays only eight days before the election on a write-in basis. The doctor, a staunch segregationist, defeated Hays, described as a racial moderate, by about 1,200 votes.

The investigation into the race was touched off by John F. Wells, publisher of a weekly newspaper here. Wells was called before a House committee at Washington in January but Alford was seated pending a congressional investigation.

Federal Judge J. Smith Henley cautioned the 20 white persons and two Negroes on the grand jury not to allow "political or partisan" feelings to enter the case.

He told them their sole duty was to determine if any federal laws had been violated.

It was learned that FBI agents testified that in one case, it was where there were only about 400 poll tax holders. Agents said there were other such irregularities.

Backers of Hays were critical because some Alford supporters affixed printed labels with Alford's name and a box with the "X" already printed in to ballots reather than actually writing in his name.

Giant Registration Drive

Arkansas Negroes Seek 150,000 Votes

Courier Pittsburgh Pa

By H. G. GUY

LITTLE ROCK, Ark. — Negro leaders in Arkansas have launched the largest mass effort in several years in an attempt to get 150,000 Negroes registered (payment of $1 poll tax) to vote in the December School Board election and the 1960 Democratic primaries.

The State Non-Partisan Voters Association, headed by C. H. Jones, publisher-editor of the Southern Mediator Journal; the Arkansas Democratic Voters Association, headed by I. S. McClinton, prominent Little Rock businessman, and the East End Civic League, headed by Jeffery Hawkins, another prominent citizen of Little Rock, have joined together and will sponsor what is known as a "Poll Tax March." The march will be in every home in Negro communities throughout the State of Arkansas, this committee said.

The purpose of the Poll Tax March is to lend impetus to the poll tax drive already in progress that ends Oct. 1. By going to the homes and selling directly to the people, it will also give the leaders an opportunity to sell to the people the importance of voting.

The march will be, in essence, the same as the Mothers' March on Polio. Approximately 300 workers have signed up in every community over the state to make the plan a success.

Mr. Jones, in an editorial in his newspaper, pointed out that if ever there was time when Negroes needed to qualify as voters, it is now. "The reason some politicians and a certain class of other people run roughshod over Negroes in the South, and Negroes don't get decent jobs nor equality before the law because Negroes fail to purchase their poll tax receipts. and vote."

■

Continuing, Mr. Jones said, "If 40 per cent of the Negroes had voted in Arkansas last years and years back, we would not have all of this racial turmoil, wholesale prejudice and hatred existing today in Arkansas. Therefore, the Negroes' educational, political and economic salvation in the South lies in his intelligent exercise and use of the ballot."

HOLMES ALEXANDER

Race Not Just Southern Problem Says Dr. Alford

WASHINGTON—Like a good many others, Dr. Dale Alford returned from overseas service in World War II and did not like what was happening to the country.

He soon found himself on a public relations committee of the Arkansas Medical Association with the task of defeating a socialized medicine bill by Senator Murray (Mont.) and Congressman Dingell (Mich.).

Nearly a decade later, Dr. Alford won the Little Rock Congressional seat by a spirited write-in campaign against the high-caliber but middle-road incumbent, Brooks Hays. One of the Congressmen who demanded that Alford "stand aside" and await investigation of the election was Rep. Dingell, son of the co-author of the socialized medicine bill.

Dale Alford, a dark, handsome, 43-year-old eye specialist who left a $50,000 a year practice, is too relaxed a personality to mind being referred to in the national press as a "segregationist." He is, of course, a segregationist — but he's a good deal more. He sees the issue of forced integration of Southern schools as the symptom of the deep-seated disease of collectivism. The sickness is eating away at the American nation in many forms and in many areas.

SAW IT IN MEDICINE

"I first saw it in socialized medicine," Dr. Alford told your reporter, "and in the Federal income tax. A young physician gives a great deal of himself to learning his profession and, as he advances, he takes a great deal of himself away from his family. Then he reaches a point where his hard work brings him less return, because of the taxes he must pay.

"I think a tax system which attacks private enterprise and its profit incentive is striking at the heart of the American way. I have a friend at home who built up a wholesale hardware-sporting goods business to where it provided a number of jobs. But high taxes caused him to cut back his business. So, we had a loss of jobs in our community and another example of private enterprise being destroyed."

Dr. Alford is a man with a 2000-book library, a man who has served on public school boards, private college boards and as president of symphony opera organizations. He is the father of three children and is prominent as lay reader and vestryman in the Episcopal Church. There is no lack of Christian charity or community responsibility in this good man. but he opposes the Welfare State and One Worldism because he sees in them the collectivist conspiracy to destroy this country by share-the-wealth schemes. He is for States' Rights because these represent walls of resistance against strong central government with its historical trend toward dictatorship.

TRACED RED EFFORT

Some six weeks ago Rep. Alford gave a thoroughly-documented House speech which traced by names and cases the Communist 30-year effort to instigate and exploit racial hatred in the South. But the doctor, who took some of his education in Chicago and has seen race riots there, feels that it is narrow-minded to think of race as a Southern problem. For that matter he finds another narrow-minded tendency when we blame the whole collectivist threat on Communism. There is also the home-grown conspiracy which he calls "Radical Socialism" and which takes us toward the same bonfire. What's his remedy? He says:

"I think we should consider every issue, domestic and foreign, on its relationship with the American Constitution. For example, I'm going to oppose foreign aid from that viewpoint. I am convinced that the Constitution never contemplated taxing Americans for the support of foreign governments."

WRONGS BEING RIGHTED

When Dr. Alford came here in January to take his seat, he encountered the stiff-arm of rejection from many quarters. The liberal press gave him the "treatment." He was featured as guilty-by-association with Gov. Orval Faubus, and as a miscreant who reached Congress by low connivance and rank corruption, none of it with any substance of fact.

But time ticks on, and through the slow but certain ways of Providence, a lot of wrongs have been righted. Today many Congressmen wish they hadn't been so willing to hear false witness of their learned colleague from Little Rock.

Arkansas Vote Order Due

LITTLE ROCK, Ark., Mar. 24 (AP).—A Federal grand jury asked yesterday to impound ballots cast in the defeat of Representative Brooks Hays, Democrat of Arkansas, by a write-in candidate.

Federal Judge J. Smith Henley granted the request. He is expected to issue an impounding order today.

The jury had received from the Justice Department an FBI report on an investigation of November's election in which Dale Alford defeated the veteran Representative. Mr. Alford ran as an independent candidate on a segregation platform. Mr. Hayes was willing to accept some integration.

The FBI investigation was made after complaints of election irregularities were received, a Justice Department spokesman said.

The jury's preliminary report said "from complaints filed with the FBI it appears there may have been a violation of Federal law (in the election) by parties whose names at this time are unknown to the grand jury."

A jury spokesman said the panel would meet next week, when the members will appoint small committees to look into the ballots.

Judge Impounds Alford's Ballots

Vote Records In Hays Defeat Will Be Used For U.S. Grand Jury Study

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, March 24.—A Federal judge Tuesday impounded ballot boxes and other voting records involved in the Nov. 4 Fifth District race between Representative Dale Alford (D., Ark.) and former United States Representative Brooks Hays.

Federal Judge J. Smith Henley signed the impounding order Tuesday afternoon. Marshal R. Beal Kidd dispatched his deputies to carry it out.

Jury Called For Study

The Grand Jury Monday voted to examine the ballot boxes and voting records to determine whether Federal laws had been violated.

The Justice Department has said preliminary investigation indicates violations may have occurred.

Representative Alford defeated Mr. Hays by about 1,200 votes after he entered the race a few days before the election as a write-in candidate.

The Fifth District is made up of Pulaski, Pope, Yell, Perry, Conway and Faulkner Counties.

Whether any counties would refuse to turn them over to Federal authorities remained to be seen. E. A. Henry, chairman of the Pulaski County Election Commission, said he would comment on that after he had seen the impounding order.

Some of Same Questions

Apparently some of the same questions have been placed before the Grand Jury that were aired earlier by John F. Wells, friend of Mr. Hays and publisher of a weekly government digest here.

Mr. Wells has charged that in some precincts the number of votes cast exceeded the number of registered voters. Mr. Wells was among witnesses called before the Grand Jury Monday.

Federal Dist. Atty. Osro Cobb said Tuesday that for the moment the issue is "strictly in the hands of the Grand Jury."

Arkansas Vote Probe Is Up to House Group

By Richard L. Lyons
Staff Reporter

The question of whether the House will investigate alleged irregularities in Little Rock's congressional election last fall may be decided April 15.

That is the next meeting date of the House Administration Committee, which has jurisdiction over election contests. Chairman Omar Burleson (D-Tex.) said he expected the question would come to a vote then, unless the Federal grand jury investigation of the election now in progress produced some reason for postponement.

Dale Alford won the Little Rock seat from Rep. Brooks Hays in a last-minute write-in campaign in which the city's school desegregation problem was the main issue. Both are Democrats. Hays, a Congressman is a moderate who tried to conciliate Gov. Orval E. Faubus' difierences with the Federal government. Alford is an outspoken segregationist who reportedly made the race with Faubus' blessing.

Irregularities Charged

A special subcommittee was told by John Wells, Little Rock weekly newspaper publisher, that in some precincts more persons voted than were registered, that unsigned pictures showing Hays with Negro ministers were illegally circulated and that paste-on stickers making it easier to vote for Alford were handed out inside voting places.

The subcommittee recommended by a 3-to-2 vote that Alford be denied his seat until the charges had been investigated. Southerners threatened to retaliate by challenging the seating of three northern Democrats who had been convicted or indicted in criminal cases. House leaders worked out a plan whereby Alford was seated and Burleson's Committee was authorized, but not directed, to investigate his "final right" to the seat.

The issue is a political hot potato, involving schools and Faubus. Burleson said he was unhappy at having it "dumped" on his Committee.

Hays Willing to Testify

Normally, his Committee looks into an election only when the loser contests it. Hays has refused to contest the outcome, although he has said the House should investigate to preserve the integrity of elections. In response to a letter from Rep. Frank Thompson Jr. (D-N.J.), a Committee member urging an investigation, Hays last week repeated that view and said he would be willing to

appear to testify.

The Constitution makes the House the judge of the qualifications of its members. It could confirm Alford's election, seat Hays or call for another election.

ARKANSAS JURY TO SIFT BALLOTS

Federal Panel Investigating Election of Dale Alford Reconvenes Tuesday

Special to The New York Times

LITTLE ROCK, March 28—A Federal grand jury will resume Tuesday its investigation of the controversial Fifth Congressional District election of Dr. Dale Alford, a Democrat.

United States deputy marshals drove through six central Arkansas counties in the district last week collecting the ballots and voting lists used in the Nov. 4 general elections.

The grand jury, which adjourned last Monday after asking that these materials be impounded, has said that it intended to search them for violation of Federal election laws.

Although the loser in the election—former Representative Brooks Hays—did not himself protest the results, a complaint was taken to the House Special Elections Committee by John F. Wells, a Little Rock newspaper publisher. The committee recommended a full investigation.

The election was won by Dr. Alford after an eight-day write-in campaign. Mr. Hays was the Democratic nominee.

Ballots from all but one of the counties in the district have been taken to the Federal Building here. In Yell County, the Federal marshals were told that the ballots could not be released because they were already impounded under a state order. A legal source said the difficulty was expected to be resolved without delaying the jury inquiry. The Yell County ballots were impounded previously in a contest of a local option liquor referendum there.

Jurors Cautioned

In convening the jury last Monday, Judge Hanley told the twenty-two members that the Justice Department wanted them to hear certain testimony relating to alleged violations of the Federal statutes "in connection with the general election."

He cautioned them that "neither you as grand jurors nor I as judge have any concern with who was elected to Congress from this district at the last election." He said this was a matter for the House of Representatives to decide.

The jurors were warned against using the session for "any partisan or political purpose."

In its only session last week, the jury heard testimony Monday from Mr. Wells, who publishes the weekly Arkansas Recorder.

In his earlier testimony before the House committee. Mr. Wells had charged that Gov. Orval Faubus and his supporters had engaged in a conspiracy to defeat Mr. Hays; that write-in stickers were given in some cases to the voters with their ballots and that some precincts tabulated more votes than there were voters in that precinct.

Five Federal Bureau of Investigation officers testified on their investigation of the election. The F. B. I. investigation first announced Feb. 2, was conducted to "determine if any violation of Federal laws was involved," according to J. J. Casper, special agent in charge of the Little Rock office.

Safeguards Voted

The jury apparently was divided over whether to ask to have the ballots impounded. This was apparent from compromise provisions attached to the petition that the jury drafted at the close of its session Monday. The panel agreed that:

¶The investigation would include only the candidates for House of Representatives in the Nov. 4 election.

¶All information developed as a result of the investigation would be kept in confidence by the grand jury for use only in the event indictments were returned and prosecution undertaken and "will not be furnished to any Congressional committee which might be attempting to decide contested seats."

¶Any examination of the ballots and other election materials "will at all times be undertaken only in the presence of the grand jury or such of its members as may be designated by the foreman of the grand jury."

¶The ballots and other election materials will be returned to state authorities when they are no longer needed by the grand jury.

The second provision apparently blocks the House Administration Committee investigating the election from using information obtained by the grand jury.

The chairman of the committee, Omar Burleson of Texas, requested that the information developed by the jury be turned over to his committee by United States Attorney Osro Cobb.

Representative Burleson said the information from the grand jury would be helpful to the committee in deciding whether a Congressional probe into the election was justified.

Governor Faubus told a press conference during the week that he had been told confidentially that he was the real target of the investigation into Dr. Alford's election.

He said that the F. B. I. report on the election probably would be "one-sided" but he expressed doubt that the grand jury would accept such a report. "You cannot control a Federal grand jury as you can the minions of the Justice Department," he said.

Mr. Faubus repeated earlier statements that he had not given aid to Dr. Alford during the election. "In fact," the Governor said, "I advised him not to run."

HAYS FILES PLEA FOR VOTE INQUIRY

Arkansan Wants Congress to Explore Election That Cost Him a House Seat

WASHINGTON, April 10 (UPI)—Former Representative Brooks Hays appealed today for a House investigation of last November's Little Rock, Ark., election in which he was defeated by a pro-segregation write-in candidate.

The House Administration Committee was expected to decide next Wednesday whether to conduct such an inquiry. Its purpose would be to determine the "final right" of the victor, Representative Dale Alford, to the House seat he has been holding since January.

Mr. Hays said he was still not formally contesting Representative Alford's election—a step he has consistently refused to take.

"The issue is not who has the seat, but whether the integrity of the ballot has been invalidated," he said.

Mr. Hays was the official Democratic candidate in the election. Dr. Alford, a physician, ran as an independent write-in candidate, but insisted after the election that he was a Democrat.

Dr. Alford was seated when Congress convened Jan. 7 and was accepted as a Democrat by Democratic leaders.

He was sworn in despite the 3-2 recommendation of a special House Elections Committee that the House withhold his seat pending further investigation of alleged election irregularities. That committee went out of existence with the convening of the new Congress.

Faubus Implicated

The allegations were that some precincts had reported more votes than registered voters; that Dr. Alford, Gov. Orval E. Faubus of Arkansas and others had conspired to unseat Mr. Hays, and that printed stickers pasted on the ballots as write-in votes for Dr. Alford had been illegal.

Mr. Hays, a moderate on the segregation issue, was instrumental in arranging a meeting between Governor Faubus and President Eisenhower in hope of solving the 1957 Little Rock school crisis. The President later called out Federal troops to enforce court integration orders.

In seating Dr. Alford, the House authorized, but did not direct, the Administration Committee to conduct an inquiry to determine Dr. Alford's "final right" to his seat.

Mr. Hays said he had advised the chairman of this committee, Representative Omar Burleson, Democrat of Texas, that he favored an investigation and would be willing to testify if public hearings were ordered.

He said he was appealing for the investigation, not as a defeated candidate seeking the seat, but as a private citizen interested in the integrity of an election.

Should the committee find that Dr. Alford was not entitled to the seat, the House could declare the seat vacant or could declare Mr. Hays the winner and vote to seat him.

Mr. Hays said that since he was not contesting the election he believed the House—if it were faced with those alternatives—likely would declare the seat vacant and order a new election.

He said it was his "present intention" not to be a candidate in that event, but said, "I would not want to foreclose" that possibility.

Jury to Study Alford Ballots

U.S. Examination Starting Today

LITTLE ROCK, Ark., Mar. 31 (AP).—A Federal grand jury today begins an examination of ballots cast in last year's election in which Representative Dale Alford unseated veteran Representative Brooks Hays.

The jury last week opened an investigation of possible Federal law violations in the victory of Mr. Alford, who ran as a write-in candidate, over Mr. Hays, the Democratic nominee in the November general election. Mr. Alford, a segregationist, criticized Mr. Hays' willingness to accept integration.

Mr. Alford won by about 1,200 votes in Arkansas' 5th district. Since then he has been seated as a Democrat.

After hearing several witnesses on March 23 the grand jury asked United States District Judge J. Smith Henley to impound all ballots and related records in the six-county 5th district.

Judge Henley issued the order, and the jury recessed until today to permit the ballots to be collected.

At Danville, Ark., a Yell County official refused to turn the ballots over to deputy United States marshals because the documents already had been impounded in other litigation in the State courts.

So far no action has been taken to resolve the Yell County situation.

The jury has the ballots from the other five counties, including Pulaski (Little Rock), the heaviest voting in the State.

More than 60,000 votes were cast in the Alford-Hayes contest.

The grand jury inquiry followed an investigation by the FBI on two specific complaints to the Justice Department. One of these charged that in certain precincts more ballots were counted than there were persons registered to vote. The second alleged that anonymous campaign literature, prohibited by Federal statutes, was circulated. Attorney General William P. Rogers said the complaints came from responsible sources, but he did not identify them.

House Committee Agrees To Probe Ark. Vote Issue

WASHINGTON UPI — A House committee agreed by a one vote margin Wednesday to investigate last November's surprise write-in victory of segregationist Rep. Dale Alford D-Ark. over veteran Rep. Brooks Hays D-Ark.

By a vote 12 to 11, the House Administration Committee approved a resolution calling for an inquiry to determine whether Alford is entitled to his House seat. It ordered that the investigation "be completed at the earliest possible time."

The resolution was offered by Rep. Fran Thompson Jr. D-N.J. Chairman Omar Burleson D-Tex., who voted against it, promptly assigned the task of conducting the inquiry to an elections subcommittee headed by another Southerner Rep. Robert Jr. Ashmore D-S.C.

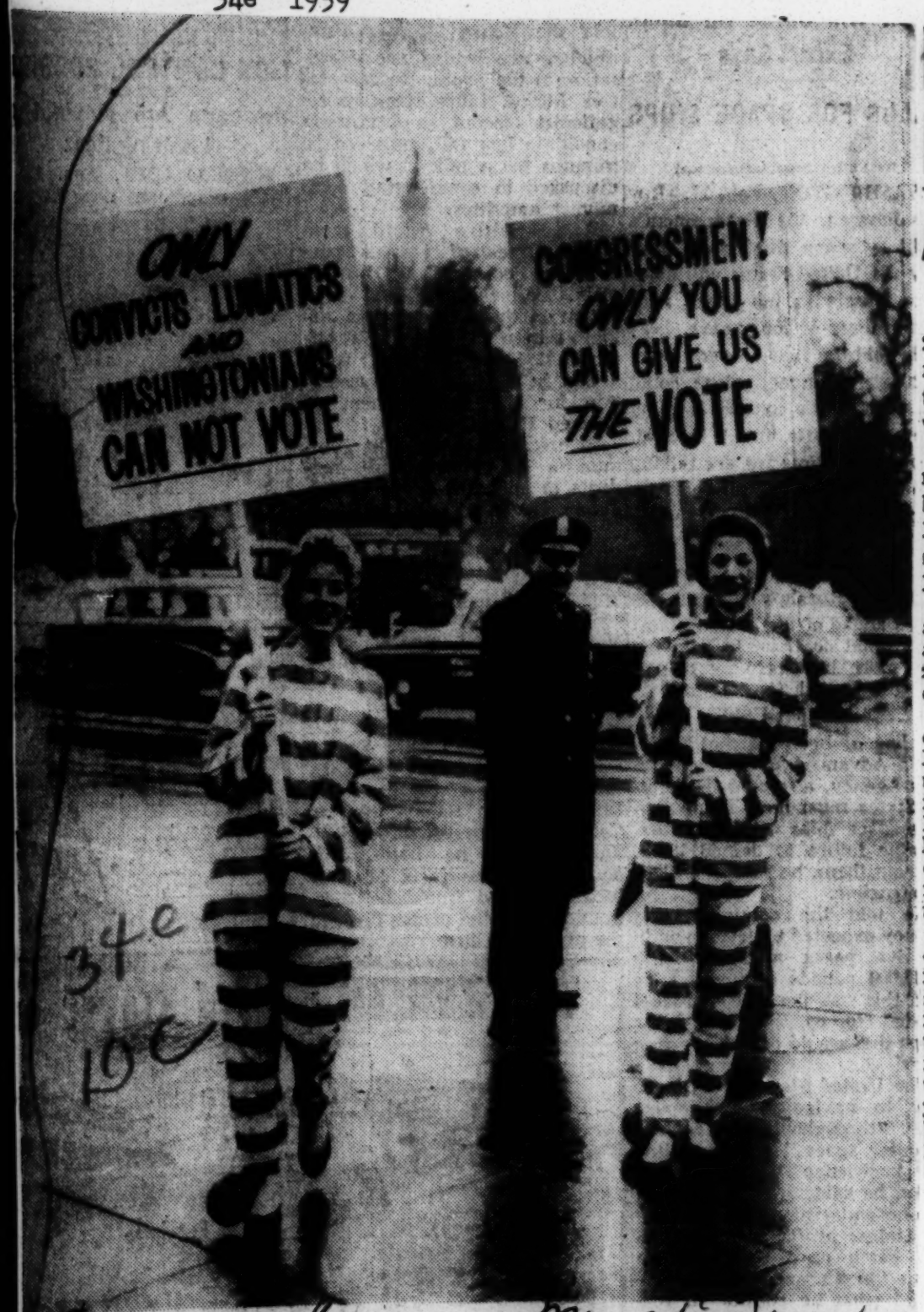
TO MEET SHORTLY

Burleson said it would be up to Ashmore to determine just when the investigation gets underway. Ashmore said his subcommittee will meet "within a week or two" to decide on its course of action, including whether to hold public or closed hearings.

One committee member, who refused to be quoted by name, said the resolution was supported by six Democrats and six Republicans. He said that nine Democrats and two Republicans opposed it.

Alford, an all-out opponent of school integration in Little Rock, Ark., staged a last-minute write-in campaign last fall to win a 1,856-vote victory over Hays, a self-styled moderate on the civil rights issue.

Hays has not formally contested Alford's election, but has said he would like to know whether the integrity of the ballot has been invalidated."



TRAFFIC-STOPPING PLEA — Miss Carol Sharpe (left) and Mrs. Chloeann Beck—decked out in convict costumes—picket near the Capitol in a demonstration for voting rights for residents of the District of Columbia. The demonstration coincided with the introduction in Congress of a home rule bill for voteless D. C.

Registration Board Hours Announced

Voters may register from April 29 through May 9 for the city's mayoralty election. The Charleston County Board of Registration will be open during that period.

The board was closed during its normal April registration period because of the Democratic Party Primary which last week nominated a candidate for the S. C. House of Representatives.

It will be open April 29 and 30 and May 1 and 2 of next week, and Monday through Saturday the following week. Hours will be 9-5 daily and 9-12 on Saturdays.

Edward K. Pritchard, chairman of the Charleston Democratic Party Executive Committee, urged yesterday that all qualified persons register immediately. He also warned that persons who have changed their places of residence since last registering should re-register to protect their right to vote.

Pritchard stated: "The law specifically requires a person to vote in the precinct in which he resides. If a registered voter has moved his home since he registered, he stands the chance of being challenged when he tries to vote. It's a simple matter to have your registration properly made but it must be done before May 10 if you plan to vote in the city election."

CIVIL RIGHTS UNIT RAPS COUNTIES

Collins Urges Open Voter Rolls

By CHARLES HESSER
Staff Writer, The Miami News
Special to The Atlanta Journal-Constitution

MIAMI, Fla., Sept. 19—Several North Florida counties, with little or no Negro voter registration, are being urged by Gov. LeRoy Collins to open their rolls.

Collins' demand for action followed a report by the Federal Civil Rights Commission that there are no Negroes registered in Union, Lafayette and Liberty counties and only seven in Gadsden.

As governor, Collins said he was "calling upon the people generally in those counties to adopt a different attitude and to improve the situation."

The commission singled out Gadsden, charging that Negroes were afraid to register and vote in that county. The agency said only seven Negroes were registered in

FLORIDA

1958 while the 1950 census showed 10,930 adult Negroes living there.

Collins noted that the commission report indicated that "intimidation and influence" were used to prevent Negroes from voting in Gadsden. He added he assumed the same was true in the other counties.

"I have no facts to counter that," Collins asserted. "I think the fact that the registration is so low certainly tends to support the soundness of the conclusion."

But J. Love Hutchinson, Gadsden supervisor of registration, said that "never has anyone been intimidated or refused registration to my knowledge." He said another Negro registered in August.

While Collins deplored the commission's findings in the North Florida counties, he emphasized, "this is not representative of our state."

The report showed that statewide more than 40 per cent of eligible Negroes were registered and in 19 of Florida's 67 counties more than 50 per cent were eligible to vote.

Collins took issue with several of the commission's recommendations:

1. That federal voter registration officers implement local registration officers.

2. That the constitution be amended to prescribe voter qualifications.

Declared Collins:

"The recommendation for the appointment of federal registration officers supplanting or implementing the services of local registration officers is an impingement on the responsibility of our states and the soveregn authority of our states."

Collins said he also strongly disapproved the proposed constitutional amendment "which would tend, I think, improperly to restrict the powers of the states in dealing with qualifications for voting."

The governor also declared that the commission should investigate reports of bloc voting by Negroes in industrial sections of the North as diligently as it delved "into our problems and circumstances in the South."

The Week in Florida

Gov. Collins was **highly complimentary** of the **calm manner** in which **Dade County (Miami) integrated Orchard Villa Elementary School.** But **Senate President Dewey Johnson,** a staunch segregationist, called **it a "failure"** because of the school's **limited enrollment** of four Negroes and 14 whites. . . . The **Florida League of Women Voters** has **endorsed** the **proposed reapportionment** of the state legislature although the group's **membership split sharply** over the issue. . . . With the **opening of the new Northeast Florida State Mental Hospital** at Macclenny, the state will have **adequate facilities for mental patients. . . . Vice President Richard Nixon** is scheduled to **speak in Miami** in October at a **state legislative awards dinner. . . .** Restoration work in the nation's oldest city—**St. Augustine**—will **depict the period of the first Spanish occupation. Herbert E. Wolfe,** St. Augustine contractor and banker, is heading up the **restoration committee. . . . Hamilton M. Forman,** a wealthy **Fort Lauderdale palm grower, sent $50 checks to 47 U.S. Senators** who **voted for the labor control bill.** Most of the checks have already **been returned.** Forman said he sent the checks because he though the **senators should be "protected"** from vindictive labor bosses. . . . **Comptroller Ray E. Green** thinks the **state will break even** during this fiscal year. **August sales tax collections amounted to $13,346,000,** which was a 23 percent gain over the same month a year ago.

Vote Registration Rolls Near Close

Fla. Times-Union
Jacksonville, Fla.

By JOHN R. BARRY
Times-Union Staff Writer

The Duval County voter registration rolls will close in three weeks for the statewide legislative reapportionment and the countywide school district elections Nov. 3.

Supervisor of Registration Fleming H. Bowden said yesterday the registration rolls will be open until noon Saturday Oct. 3, for those who have not registered.

There will be only one constitutional question on the ballot. This will be the amendment increasing the membership of the state Senate to 44, from the present 38, and the House of Representatives to 103, from the present 95.

The reapportionment amendment, if approved, will give Duval County a fourth voice in the House. It now has three seats. No change will be made in Duval's senatorial representation.

138,000 Voters

All registered voters may cast ballots on the constitutional amendment. Bowden said there are an estimated 138,000 eligible voters in the country.

The school district millage election and school trustee election, to be on the ballot Nov. 3 also, will be open to freeholders and voters who can show a personal property tax receipt.

All three seats on the Board of School Trustees are up for election. Present incumbents are Morgan F. Jones, chairman; J. M. Chupp and Marvin C. Harden Jr.

In order to get on the school trustee election ballot, candidates must qualify with the Board of Public Instruction by Friday, Oct. 16, which comes within the 15-day period before the election as the following Saturday and Sunday are holidays. To qualify, candidates merely need to submit a petition to the school board bearing the names of five or more qualified electors.

School Millage

Also on the school ballot will be the question of the special school district millage for the next two years. The trustees have already recommended to the school board that the special millage for 1960 and 1961 be 10 mills.

Bowden said the number of eligible freeholders for the school election will not be known until the books are closed and a count taken. In 1957, there were 92,741 freeholders eligible to vote. Only 3,349, or 4 per cent, actually turned out for the election.

Another election to be held on Nov. 3 will be for membership on the Board of Commissioners for the East Duval County Mosquito Control District. This election involves only five precincts in the beaches area. They are Precincts 31, 33, 34, 36 and 36-A.

Candidates for the mosquito district posts must qualify with the County Commission by Friday, Oct. 23. Qualification requires a petition bearing the names of 25 eligible freeholders.

Bowden said absentee ballots will be available until 5 p.m. Oct. 29 and must be in the registration office by 5 p.m. Nov. 2 to be counted. The absentee ballots will be on the constitutional amendment and the mosquito control district only. The law does not provide for absentee balloting in the school trustee and millage election.

Negroes Are Afraid To Vote, U.S. Told

By DAVID KRASLOW
Of Our Washington Bureau

WASHINGTON — Negroes are afraid to register and vote in North Florida's Gadsden County, the Civil Rights Commission said Tuesday.

The commission, in a report to the President and Congress, cited cases of Negroes fearing physical violence and economic reprisals. No names were mentioned.

Commission agents who conducted an investigation in the county last fall found that "virtually none" of the 300 Negro teachers in the county are registered.

Many "have expressed a desire to vote," the report said, but "they are unwilling to attempt to register because of the fear of losing jobs or other economic reprisals."

The commission said that official state figures showed only seven Negroes were registered in Gadsden County in 1958.

It pointed out that the county's adult Negro population in the 1950 census was 10,930.

It said that Gadsden, which is on the Georgia border, is one of only five out of 67 Florida counties in which fewer than five per cent of voting age Negroes were registered in 1958.

Statewide, 40 per cent of the Negroes over 21 registered and in 19 counties more than 50 per cent of adult Negroes registered.

Dade (Miami) and Duval (Jacksonville) counties, with about 50 per cent of voting age Negroes registered, together accounted for almost 50,000 of Florida's nearly 150,000 registered Negroes.

But in three other rural counties near Gadsden — Lafayette, Liberty and Union — not a single Negro was registered, the commission said.

MORE THAN 1,680,000

Record Number Registered For Reapportionment Vote

Fla. Times Union
Jacksonville, Fla. 34e

TALLAHASSEE, Oct. 12 (UPI)—A record total of more than 1,680,000 voters will be eligible to cast ballots in the Nov. 3 special election to decide the fate of the reapportionment proposal to increase the size of the Florida legislature.

That represents an increase of approximately five per cent over the 1958 registration of 1,607,214.

Five small counties—Calhoun, Manatee, St. Lucie, Suwannee and Washington—still have not reported their new figures. The old registration figures were used for these counties in compiling a statewide total.

This total will be increased by a few thousand when their figures are counted and the official tally is announced by the secretary of state later this week.

Pinellas showed the largest increase of any county, jumping 142,294 voters last year to 157,000 in the new registration. Dade and Hillsborough increased their voting strength by about 10,000 each.

Orange Overtakes Polk

For the first time, Orange surged ahead of Polk County to become the seventh largest voting area of the state. Orange increased its registration from 60,004 to 64,816.

Polk, seventh last year, dropped to eighth, with an increase from 61,730 in 1958 to 63,153 this year.

The registration books will reopen after the general election to give people a chance to sign up before next May's primaries.

Most of the counties have permanent registrations now.

Three South Florida counties—Dade, Broward and Palm Beach—control nearly one-third of the total voting strength of the state.

Dade heads the list with 371,093 followed by Duval with 138,394, Hillsborough 125,445, Pinellas 157,000, Broward 99,965, Palm Beach 79,213, Orange 64,816, Polk 63,153 and Escambia 61,013.

Negro Total Up

No total registration was available on the Negro vote, but it has increased slightly in most counties.

There were dropoffs in a few, however, and Lafayette, Liberty and Union continued to report not a single Negro registered.

This was criticized in a recent report of the Federal Civil Rights Commission which is investigating alleged violation of Negro civil rights in the South.

Gadsden, singled out for criticism, had seven Negroes registered last year and 12 this year. All officials denied that any pressure was used to prevent Negroes signing up in Gadsden.

Biggest drop in Negro registration came in Clay County which had 910 last year and only 755 this year. There also were drops in Alachua and Bradford County Negro voters.

However, some officials attributed this to lack of interest in the general election with only reapportionment at issue. They expect pickups everywhere when the books reopen for the spring primaries in which most state and county offices are at stake, including the governorship.

371,093 Now Registered To Vote

Herald
Miami, Fla.
10-10-59

Registered Dade County voters totaled 371,093 when books were closed for the Nov. 3 special election, Claude R. Brown, supervisor of registration, reported Friday.

The total includes 262,234 freeholders or real estate owners. There are 301,557 white and 19,143 Negro Democrats, 44,723 white and 3,213 Negro Republicans, and 2,431 white and 26 Negro members of other parties.

NAACP Conference Advised To

Campaign To Increase Negro Voter Strength

TAMPA, Fla. — (UPI) — Delegates to the Southeastern conference of the NAACP Saturday were told they must set up house-to-house campaigns to increase the number of eligible Negro voters.

The discussion on ways of "attaining freedom through registration and voting" was part of a nationwide NAACP drive to get three million more Negroes registered as eligible voters by 1960 in order to give the race a louder voice in political affairs.

The discussion was led by John M. Brooks of Richmond, Va., who is national director of the NAACP's voter-registration program.

W. C. Patton of Atlanta, field secretary at large in the voter-registration program, outlined to the delegates from six southern states how to set up a "grass-roots" organization to get Negroes, names on the registration books.

He said local NAACP branches must have a worker on every block in Negro residential areas to constantly encourage Negroes to register.

He outlined a plan under which virtually every local Negro organization, churches, fraternal groups and clubs would be combined under the most respected Negro leaders to push the campaign.

"We've got to knock on every door and keep knocking until we reach our goal," he said.

The conference, attended by delegates from the Carolinas, Tennessee, Georgia, Mississippi, and Florida, ends Sunday afternoon.

In a keynote address Friday night, regional field secretary Ruby Hurley of Atlanta urged individual Negroes to shoulder more of the responsibility in the battle for integration and to stop depending on God and the NAACP to carry the entire burden.

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Court to Hear Appeal On Negro Vote Riaht

JACKSONVILLE, Fla., Mar. 12 (AP) — An appeal by the Federal Government's charge that voting rights were denied 20 Negroes in Macon County, Alabama, will be heard in New Orleans April 27.

A petition for an injunction to prohimit the destruction of vote application forms was denied in United States Fifth Circuit Court of Appeals yesterday by Judge Richard T. Rives of Montgomery, Ala.

The dismissal was contingent on a final decision in the case and assurance of Attorney General MacDonald Gallion of Alabama that the records would be preserved until disposition of any court cases concerning them.

Vital Evidence

The Government considers the records vital evidence in its case. An attorney representing Alabama said it, too, wants the records preserved.

The Federal Government was given until March 24 to file briefs in the appeal; Alabama until April 22.

Joseph M. F. Ryan of Washington, first assistant to the Assistant Attorney General in charge of the Civil Rights Division, said, "We got what we wanted and a little more. We have assurance that vital records will now be made available and we got an earlier dote set for hearing our appeal than we had expected."

Mr. Gallion said, "We're happy. The sovereignty of the State of Alabama has been upheld without compromise."

The suit was dismissed Friday by United State District Court Judge Franw W. Johnson, jr., in Montgomery, but the basic issue of whether Negroes have been denied their rights was not decided by Judge Johnson.

No Individual

He tossed out the suit on the ground that the 1957 Civil Rights Act does not give the Justice Department authority to make a name a sovereign State as defendant in such litigation. Judge Johnson also ruled that since the Macon County Board of Voting Registrars had resigned, there was no individual who could be named a defendant.

The status of the records became pertinent when the Alabama Legislature last month adopted a statute which permits the destruction of voting application forms 30 days after they are filed.

Mr. Ryan said the result of the case might affect a similar one pending in Terrell County, Ga., and any others that might come up.

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LEGISLATIVE BRIEFS

County-Unit Voting System, Racial Case Payment Asked

Times-Union Wire Services

TALLAHASSEE, May 6 — Rep. Peacock of Jackson today introduced a bill to provide for nomination for governor, senator and other state officers by the county-unit system.

The measure would provide that the candidates getting the greatest number of popular votes will carry the county and receive all its votes on the county-unit basis.

Each county would get four unit votes for each member of the House of representatives to which it is entitled.

Besides governor and senator, the bill would apply to the nominations of State Supreme Court justices, district courts of appeal judges and administrative officers of the executive department.

The bill was sent to the Committee on Elections.

Georgia now has a county-unit system.

Husbands deserting their families could be jailed for up to two years under a bill passed by the House today.

The measure, passed as part of a series of bills aimed at tightening welfare laws, also would provide for a fine of up to $2,000. The jail term now is one year and the maximum fine is $1,000.

Authorization for the Board of Control to enlarge Doak Campbell Stadium at Florida State University is granted in a bill introduced by the Leon County House delegation.

The stadium now has a seating capacity of about 16,000. New FSU head coach Perry Moss visited the House earlier this week and joked about his "small stadium" when he spoke briefly on the

Today's bill authorizes any construction up to one million dollars, payable from contributions, advance ticket sales or self-liquidating revenue certificates.

Rep. Horne said enlarging the stadium to hold 30,000 would probably take care of immediate needs. That job would take far less than a million dollars, he said.

Hillsborough County went after its own legislation today to enable it to take advantage of federal funds for slum clearance.

The Hillsborough delegation offered a constitutional amendment after a general measure for all counties was killed by the House.

Rep. Peacock was taken to a hospital for examination after complaining on the House floor of a feeling of "blacking out."

Peacock was helped from the floor and rested on a couch in the lounge until a doctor arrived.

There was no immediate indication of the nature of his illness or his condition.

Restrictions in Fla. voting reported

MIAMI, Fla. — The Greater Miami Chapter of the American Civil Liberties Union reported on discrimination in voter registration in the area.

The report showed that registration certificates and precinct voting lists designate whether the registrant is white or colored.

This makes possible the committee said, "the distribution of campaign literature containing coercive remarks or enticing political promises exclusively to colored voters."

* * *

THE COMMITTEE said registration books are less accessible to colored voters than to whites. The records are sent to local city halls but often colored persons are told that "the colored records" are not available.

The committee also contended: Colored persons are forced to wait in unduly long lines to register; colored persons encounter unfriendliness and hostility from registration personnel; county offices are opened only in the day time which works a hardship on employed colored persons who would not be allowed to take time off from their jobs to register.

The report contended that separate precinct books for each race are conducive to practices of segregation and discrimination in the voting procedure.

Forum-Luncheon Well-Attended

Experts Tell Norfolkians About Power Of The Ballot

34e Journal

"The most important thing to a politician is a vote," said Dr. Helen Edmonds, graduate professor of History, North Carolina College, in her address as keynote speaker at the forum-luncheon Saturday morning program at the D. G. Jacobs Junior high school.

Dr. Edmonds was presented to the capacity audience by Mrs. William T. Mason, chairman of the forum program committee. She spoke on the "Value of Voting"

THE EVENT was sponsored by the Norfolk Council of the National Council of Negro Women, Inc. The theme of the forum was "Women and the Vote". Mrs. Sherman Williams, general chairman, presided (at the morning session) and Mrs. Roberta D. Robertson, president of the sponsoring chapter, welcomed the guests.

Dr. Edmonds told her audience that a "voter should be an informed person" and also added that he should know whom he is voting for and what he is voting for. She then elaborated on the "One vote"... "A person will say I have just one vote, but it was one vote that elected Thomas Jefferson and Rutherford Hayes to the presidency. It was one vote that brought the states of Washington, California and Idaho into the Union."

SHE URGED the women to use their vote wisely and to go out and get others to vote. After Dr. Edmonds' challenging address, Mrs. Leroy Porter, chairman of the forum committee, introduced the forum speakers.

Mrs. Albert Farwell, president of the League of Women Voters of Virginia, who spoke on "How voting strength increases Community Progress" told how the league was organized and the many things that the group had accomplished. Women now all over the country seek their advice on organizing women voting groups and how to get needed improvements in their communities.

SHE ALSO stressed when going to city council or to see the mayor let one or two women go, not a whole group, get the facts, let the information be factual and unemotional. Then keep a sustained and determined interest in the thing you are seeking.

Other speakers were Mrs. Mary Clasby, of Washington, D. C., assistant to the director of Women's activities of the National Committee, who said that the voting power of 10 women can be felt, the voting power of 100 women would be felt tremendously, and the voting power of 1,000 women would be powerful but the voting power of 10,000 women would be invincible.' That makes women VIPI, "very important people indeed."

MISS GERRY Sohle of Washington, assistant to the director of Women's activities, told should be like this, "A golfer hitting at a ball missed it and hit an ant hill. He killed all but 2 ants. The first ant said to the 2nd ant, we'd better get on the ball". Miss Sohle's topic was "How the use of the Ballot Changes National Policies"

The last speaker, Mrs. Bettie Coles of Philadelphia, Pa., a recent resident of Israel and the Middle East, told of the Women's status in Israel and that they are looking to the women of America for leadership.

GROUP DISCUSSIONS then followed the speeches in classrooms. Chairman and summarizers of the topics were Mrs. Jocelyn P. Goss, Mrs. G. W. C. Brown, Miss Virginia Davidson, Mrs. Mary Faulkner Miss Viola Cousins and Mrs. Irma Browne.

At the close of the forum the luncheon was served at p. m. in the cafeteria. Mrs. George Jackson presented music. Mrs. Robertson introduced the luncheon speaker, Mrs. Verda F. Welcome, Maryland state Legislator.

MRS. WELCOME told how she got into politics. She said that the way of full citizenship is the way of the vote. Politics can be good, it is the art and science of getting what citizens want done.

Mrs. Welcome asked if we had any one representing us? We can if we use our vote. Groups should register and vote. She asserted that the vote is a key to open doors, but we must learn how to use it. It can reward friends and punish enemies. We would make more progress if more of us voted.

DR. EDMONDS was asked to summarize the findings. She suggested that as a follow-up of this meeting that all of the groups that sponsored the forum organize into one big organization, follow a blue print of action, bury the hatchet in personalities and do the job that is needed to be done in politics in Norfolk. This big organization should have representatives from every club, big or small, every street, every area, slum or elsewhere. Norfolk has a big job to do. but it can be done."

Ballot expert sees tan vote in North key to Presidency

Afro-American Baltimore, Md.
Sat. 7-25-59

NEW YORK — The colored voter in the North has become a "key aspect" in the 1960 Presidential campaign, Richard C. Scammons of the Government Affairs Bureau in Washington told the 50th NAACP convention here.

"In the minds of every prospective candidate and of both political parties," he said, "the key role of the colored voter in the key states is a maximum one."

Mr. Scammons declared that "There is, in the larger sense, no bloc vote, either white or colored, on major issues.

He pointed out that in recent years colored Republican candidates have been defeated by white Democratic candidates in predominantly colored districts.

* * *

THE COLORED voter "basically votes for what he thinks is right," Mr. Scammons said "Basically, the colored voter, like other Americans, simply does his job as an American citizen," he said, adding:

"As long as the colored voter does his job as an American, it seems to me that he will also be protecting his own rights."

One of the paradoxes of American politics is that northern Democrats and Mississippi Democrats can coexist in the same political party and the Republicans have not been able to get either extreme on their side, he said.

"The Democrats still can maintain themselves with both the NAACP and the White Citizens Council," Mr. Scammons added.

He said the colored voter in the North is essentially a Democrat as far as politics is concerned.

* * *

WHERE THE colored voter has reached the maximum recognition, he asserted, he tends to have his primary identification with the Democratic Party completely.

Where he has not, in a city like Baltimore, he said, the connection between the colored voter and the Democrats is minor, although he tends to be on the major side.

While no Congressman wants any group of voters to be strongly against him in his district, the influence of the colored voter on Congress is housing pattern, which dictates necessarily limited by the the voting pattern, Mr. Scammons stated.

He continued that colored voters occupy the "key swing position" in many of the most important states, like New York, Ohio, Pennsylvania, and California.

Action Rumored On Voting Issue

Commercial Appeal Memphis, Tenn.
Sat. 6-27-59

Justice Branch Reported Involved In New Investigation

By The Associated Press

WASHINGTON, June 26. — The Justice Department Friday was reported to be working on a new prosecution in the voting rights field, but the department declined to discuss the matter.

In response to inquiries, officials noted that the department officially stated earlier this year that reversals encountered by the Government in its first two attempts to enforce voting right provisions of the 1957 Civil Rights Act would not hold up further actions where these appeared to be called for.

Policy Still Stands

These officials said Friday this policy still stands.

Action in the new investigation appeared to be imminent.

Meanwhile, both original cases in which Government suits were rejected are headed for possible Supreme Court review, but with little prospects for hearing there before next fall.

The high court is now scheduled to adjourn next Monday, and at that time is expected to rule on the Justice Department's petition that it accept a direct appeal from the Federal District Court at Macon, Ga., where the first test of the 1957 act was made. The District Court ruled that portions of the act are unconstitutional.

That case was directed against the Terrell County, Ga., voting registrars and alleged they consistently discriminated against qualified Negroes seeking to register.

Improper Power Noted

The District Court dismissed the action on a holding that the act improperly gave the attorney general the power to seek injunctions not only against state officials but private citizens as well.

The Justice Department has told the Supreme Court no private citizen is involved in the suit and the court ruled on an issue which was not before it.

In the second voting rights action, the Government made similar charges of discriminations against Negroes in a suit against the registrars of Macon County, Ala., who promptly resigned.

The District Court at Montgomery dismissed the action, holding there was no one left to sue. The Fifth Circuit Court of Appeals at New Orleans affirmed this ruling two weeks ago, and the Government announced it would appeal to the Supreme Court.

Teens Prepare For Voting

By ALICE TODD And THERESA MARXER
Pintlala

How can teen-agers become responsible voters?

The teen-agers of today are the adults and government leaders of tomorrow. A working knowledge of politics and history helps in preparing teen-agers to be responsible voters and citizens. Much depends on the social studies teacher. She should make civics as interesting as possible.

Youth government programs help teen-agers to become more interested in politics and in the science of government. When voting for officers of a club one should vote for the person best fitted for the job and not just for his best friend. Teen-agers should keep up with local elections and should study carefully each candidate.

Parents should interest their children in voting by being interested themselves in good government. Parents should teach their children to think of voting as a duty to be seriously considered. It is each citizens' responsibility to help elect the officials of their county, city, state, and national government. Our democracy is based on the consent of the governed! Unless you vote, you do not have a voice in your government.

In our school, teen-agers discuss politics. Whenever there is an election, issues are debated. Our school is the voting headquarters in our beat. The voting machine is explained each year to the different grades. We are all personally acquainted with our local representatives on the Board of Revenue, our first step to government.

Many teen-agers discuss world problems among themselves. In the lower grades the "Weekly Reader" is used in teaching about world problems and current events. When students enter junior high school they have previously been exposed to discuss world problems. They pick right up with "Read" magazine, which is a continuation of the Weekly Reader on junior high level.

Many times political discussions cause quite an argument. We are learning that in a democratic government, all sides of a question should be debated, but that the will of the majority is followed.

Teen-agers should realize that they are tomorrow's adults and government leaders. They should prepare themselves for the job.

TEEN TOPICS BULLETIN BOARD

Lanell Kelly (left) and Paula Baker, Baldwin Junior High hall monitors, have the job of keeping a Teen Topics bulletin board in the main hall. Articles about Baldwin that appear in Teen Topics are placed on the board where they remain for three weeks.—(Photo by Fletcher Moore.)

Anti-poll tax move opposed by Sparkman

WASHINGTON, Aug. 20—(AP)—Sen. John Sparkman (D., Ala.) said today that passage of an anti-poll tax measure, even as a constitutional amendment, would be resented and stir up racial strife.

He submitted a statement to the Senate constitutional amendments subcommittee which postponed a scheduled hearing until next week.

Sen. Spessard L. Holland (D., Fla.), with 65 other senators as co-sponsors, recently introduced a constitutional amendment to outlaw a poll tax as a requirement for voting in elections for federal officials.

SPARKMAN SAID that many states have voluntarily dropped the poll tax over the years, adding it is better for states to do this on their own, rather than be forced into it by legislation or a constitutional amendment.

Alabama is one of the five states that still retain the poll tax. The others are Arkansas, Mississippi, Texas and Virginia.

"Another reason it is unwise to bring up this legislation," Sparkman said, "is the certain belief, especially of the people in the five states, that it is a further effort on the part of Congress to enact measures treating with race issue —to dictate to the states on a state matter."

"NOW IS NO time to stir up the emotions and feelings of any of our people on the highly controversial and explosive race problem," he added.

Sparkman also said that while his own state has a poll tax, "a great majority of the voters are exempt from it."

Those exempt, he said, include World War I, World War II, and Korean War veterans; National Guard members; all persons over 45 years of age; the blind, the deaf, and totally disabled persons owning taxable property not in excess of $500.

U. S. Atty.-General Asks Negroes to Vote in South

WASHINGTON—For over a year Negro and interracial groups have been bragging about the organization of register-and-vote drives in several sections of the South, but Attorney General William P. Rogers apparently thinks they are not extensive enough.

Attorney General Rogers has recently called for a "concerted effort" by Negroes of the South to register and vote.

• It's the same old story which interracial leaders battling for first-class citizenship for Negroes have encountered at every stage. Everybody knows that Negroes are being discriminated against in the matter of registering to vote and in being allowed to cast ballots . . . but nobody . . . at least not near the number of people who should . . . complains.

Not enough Negroes are even trying to register . . . not enough are attempting to vote . . . the much-publicized vote drive campaigns of the past year throughout the South notwithstanding.

■

IN FACT, in some places after the vote-drive, there were less Negroes on the voting books for the year than before the drive . . . although most of the drives showed an increase in Negro registrants.

Attorney General Rogers, in urging Southern Negroes to register and vote, said Negroes might be reluctant to try to become registered because of "past experiences."

However, he urged Negroes to try again to do so "within the next year."

Mr. Rogers told his news conference that the U. S. Department of Justice ran into difficulty in administering the Civil Rights Act of 1957 because his department did not receive "as many complaints as we had expected."

■

THE ATTORNEY GENERAL pointed out that he was "not soliciting complaints," but I certainly would urge everyone to register and vote," he added.

His implication was that the U. S. Justice Department is prepared to support an expanded drive by Negroes in the South for the right to vote and will take action on all legitimate complaints of discrimination.

■

IN ADDITION, Mr. Rogers said, the Justice Department had run into another difficulty in enforcement of the 1957 Civil Rights Act in obstacles thrown into the path of Justice Department investigators to keep them from getting access to registration records in Southern communities.

■

ALTHOUGH MR. ROGERS did not say where his agents met with resistance, the Justice Department's experience apparently was much the same as the effort of the Civil Rights Commission to secure voting and registration records in Alabama.

ATTY. GENERAL ROGERS
. . . wants Negroes to vote

Dr. George Dixon Flemmings Hits Voting Rights Denial

By OLIVIA BARBARA BAXTER

Dr. George Dixon Flemmings, of Fort Worth, Texas, speaking at the Sixth Annual Banquet of the Abraham Lincoln Republican Club, Thursday night, April 2 vigorously deplored all individuals, groups, and organizations who would deny qualified citizens the right to vote and enjoy first-class citizenship privileges.

Addressing a capacity audience at the Masonic Temple Auditorium Dr. Flemmings stated that he could never understand that why it is now, that many editorials in the South are being written trying to indicate that Abraham Lincoln never intended to have integration; and that his purpose was not to lift the standards of the Negro and have children of different races to attend school together.

Speaking from the topic "Lest We Forget," he added that, all of us (the Negro) should feel indebted for a man who thru the years has helped people. It would be of good use and information if we were to read and understand the life history of Abe.

The Texan further said, we are prone to climb up on the ladder and kick it from under us. Many of us are followers of fixed patterns. We are not serious about our future. We still have the philosophy of getting all we can out of everything and putting nothing in return.

Dr. Flemmings, an active member and former president of Phi Beta Sigma Fraternity, stated that we can never know how far we can go or have gone until we measure the distance from where we started.

The Republican Orator and Civil Rights Leader finally, stated that action not mere words is what we need and that is what the present administration has done. Quoting from the Epistle of Paul the Apostle to the Galatians 5:1, "Stand fast therefore in the liberty wherewith Christ hath made us free and be not entangled again with the yoke of bondage."

The program began with the singing of the National Anthem by the audience. E. T. Swift served as master of ceremonies. Rev. Hobart E. Oden, Jr., assistant minister of 16th Street Baptist Church gave the invocation.

In the history and purpose of the club, given by W. L. Bradley, he stated that the club was organized in February of 1952, where the first meeting was held in the office of the Birmingham World. The purpose he stated was for the club to join in the crusade in helping elect a president patterned after Abraham Lincoln.

Other features of the program included: Mrs. Racine C. Gordon, solo; Greetings from Club Eisenhower of Fairfield by Mrs. Catherine Halsey; remarks from John J. Drew, business and professional; Gettysburg Address, Benjamin Moore, Jr.; Mrs. Maggie Zeigler, solo; and introduction of speaker, Atty. Oscar W. Adams, Jr.

Mrs. Louise Hunter was the recipient of the award presented by the club in honor of her husband, Frank L. Hunter, presented by Mrs. Bessie W. Parker. Appreciation was given by William Parker.

At 10:45 p.m., benediction was announced by Rev. B. Washington Coates.

GOP Decline Among Voters Continues

By GEORGE GALLUP
Director, American Institute of Public Opinion

PRINCETON, N.J. — GOP congressional fortunes continue at a low point.

GALLUP

Despite the efforts of the Eisenhower administration to hold the line on prices and to balance the budget, indications are that, if an election were held today, the Republican defeat would be of greater dimensions than it was in last November's election.

The latest Gallup Poll barometer of party strength shows the standings of the two parties on a nationwide basis continues to be:

Democratic	58%
Republican	42

In the November election, the Democrats actually polled 56.5 per cent of the popular vote to 43.5 per cent for the GOP.

Voters across the country were asked:

"If the elections for Congress were being held today, which party would you like to see win in this state — the Republican party or the Democratic party?"

Here is the trend of the vote, compared with that received by each party in November:

VOTE FOR CONGRESS—
NATIONWIDE

	Dem. Pct.	Rep. Pct.
1958 election	56.5	43.5
February, 1958	58	42
Today	58	42

Perhaps a clearer picture of the decline in GOP strength can be shown in a comparison of the party standings today in the North and in the South. This is largely because of the heavily Democratic pattern in the South.

Experience has shown that, to offset this Democratic advantage, the GOP must poll 55 per cent of the vote for Congress in the North if it is to capture control of the House of Representatives.

Here is the picture today in the North:

VOTE FOR CONGRESS—
OUTSIDE SOUTH

Democratic	55%
Republican	45

The South is holding fast to its traditional custom in the matter of congressional preference, as the following survey figures indicate:

VOTE FOR CONGRESS—
SOUTH ONLY

Democratic	81%
Republican	19

In the election last November, the Democrats polled 54 per cent of the vote in the North and 80 per cent of the vote in the South.

What may come as something of a jolt to GOP leaders is the fact that the party in at least one instance, has failed to capitalize on its aims and objectives by translating them in terms which will win adherents to the party.

This is shown in a second question which finds more voters believing that the Democratic Party is interested in keeping prices down than believe the Republican Party is:

"Which political party—the Republican or the Democratic —do you think is most interested in keeping prices down?"

Democratic party best ..	35%
Republican	28
No difference	26
No opinion	11

The Weight Of Our Voting Hand

WE HAVE a new state in the Union. Except for a few formalities and a little time, Hawaii is the 50th state of the United States of America.

In overwhelmingly approving statehood for this chain of Pacific Islands, Congress recognized the sovereignty of our naval defense bastion and the aspirations of her well integrated peoples of many races, creeds and colors. Hawaii's 50th star in Old Glory will reflect more color than any other symbol of our great American communion.

—o—

IT WAS SIGNIFICANT, or insignificant, that most of the votes cast against admittance of Hawaii to statehood were those of representatives of the South. The same situation prevailed in the case of Alaska, the recently admitted 49th State.

What is wrong with the South, or, more nearly correct, what is wrong with her elected representatives? Much is amiss, to say the least!

—o—

OF COURSE, if the South fears more progressive thinking, more anti-segregation legislation, more tolerance in Congress, their representatives were right in voting against admittance of Alaska and Hawaii to the Union. If the South feared a weakening of its oftimes embarrassingly negative votes in legislative and political circles, especially where color and racial justice are concerned, it followed the correct "line" of opposition to Alaska and Hawaii.

But, the South lost in an unfriendly gesture to citizens of whom the overwhelming majority of the nation desired companion status. When Hawaiian senators and congressmen are seated in Washington, they may well remember the role our representatives played against their people. Nevertheless, the majority of Congress has prevailed and Hawaii will fully become our 50th state.

—o—

THIS CONTINUED voting against the grain of American democracy and progressive justice should further arouse non-voting Southerners to get up off their hands.

Perhaps the present group of elected congressmen and senators in Washington do, in fact, represent the majority of people who voted for them. But, the fact is that they do not represent the hundreds of thousands of disfranchised and disadvantaged citizens in states now lagging behind the "one world, one people" idea which constitutionally hovers over the land.

They need to feel the weight of our voting hand!

9 in Florida Hold Voting Right Denied

WASHINGTON, May 17 (UPI)— The Civil Rights Commission reports it has received 758 sworn complaints since it was created two years ago from people who charge they were deprived of the right to vote, including nine from Florida.

The commission furnished a table giving a breakdown of the complaints to a House Appropriations subcommittee which published it today with the commission's closed-door testimony on its budget.

Alabama led with 104 complaints, followed by Louisiana with 88, Mississippi with 40 and Florida with 12. The commission said it also received 57 unsworn voting complaints.

The Commission provided a breakdown of the 79 voting affidavits it has received since last Feb. 16. These included:

Tennessee—Haywood County, 1.

Mississippi—Claiborne County, 5.

Louisiana (64)—Bienville Parish 8, Bossier, 9, Caddo 4, Claiborne 6, DeSoto 11, Jackson 2, Ouachita 1, Red River 9, Webster 14.

Florida—Gadsden County 9.

The commission said it had received 498 complaints about matters not regarding voting rights since it was set up in 1957.

New York led this list with 59, followed by California with 45, Florida and Ohio with 26 each, Pennsylvania and Illinois with 23 each, Alabama with 22 and Texas with 21.

IKE SAYS THE RIGHT TO VOTE GUARANTEED BY FEDERAL LAW, WILL SOLVE SCHOOL PROBLEM

Rejects The Idea Of New Federal School Integration Enforcement

By MERRIMAN SMITH

WASHINGTON — (UPI) — President Eisenhower Wednesday rejected the idea of new federal legislation to enforce public school integration. He said it was more important for the new Congress to strengthen Negro voting rights.

Eisenhower made the statement during an unprecedented 50-minute question-and-answer session with more than 500 members of the National Press Club which is celebrating its 50th anniversary.

The President said that once the right to vote is firmly guaranteed by federal law, state and local voters would solve the school problem and insure the "proper observance of their other rights."

The President answered questions from the head table in the packed club house.

He covered a dozen subjects ranging from his admiration for Army football coach, Earl Blaik to the "bleak' threat of an increasingly powerful Red China. All of it was on live, nationwide television, another precedent for Washington.

SAYS SCHOOL CLOSINGS "TRAGIC"

Eisenhower described as "tragic" the fact that public schools were shut down in some areas to avoid compliance with federal court integration orders. He said the image of America was being damaged overseas because thousands of children were being deprived of their rightful education.

But he made clear he did not regard this as a current area for congressional action because guarantees of Negro voting rights should come first.

Should some of the states persist in closing schools to get around federal court orders, Eisenhower said, it would pose a difficult problem which would require much "time and dedication" to solve.

"But I do say, it must be solved," he said.

In addition to his discussion of civil rights, the President covered these subjects:

Federal economy — a balanced budget and stabilized cost of living would increase chances for tax relief. However, he is not thinking in terms of personal income tax cuts in 1960. He warned special pressure groups to lay off demands for heavy federal spending in their areas.

Politics — He will take a hand in the selection of a 1960 Republican presidential nominee if the front runner turns out to be a man whose basic philosophy clashes with his. He said there were at least a dozen "fine, virile men in the Republican Party I could gladly support."

CITES RED CHINA THREAT

Red China—The rapidly growing industrial and military might of Communist China poses "a rather bleak problem" for both the United States and the free nations near the Chinese mainland. He said "we must indeed be watchful."

Retirement — In 1961, when he leaves the White House at age 70, he wants to retire to a rocking chair at least "until I really want to get out and go to work."

New Conferences — He likes news conferences but believes he should be allowed to decide when and how often to have them.

The questions were put to the Chief Executive by John F. Horner of the Washington Evening Star, outgoing press club president. Unlike regular White House meetings where reporters put their questions to Eisenhower directly, Horner followed club custom and asked newsmen for their questions in writing. In turn, he selected and read the inquiries to Eisenhower.

'Ike' Opposes Laws Forcing Integration, Urges Voting Rights

He Meets Press

Believs School Problem Will Be Solved With Guaranteed Ballot

(Picture on Page 48)

By MERRIMAN SMITH
United Press International Staff

WASHINGTON, Jan. 14 — President Eisenhower Wednesday rejected the idea of new Federal legislation to enforce public school integration. He said it was more important for the new Congress to strengthen Negro voting rights.

Eisenhower made the statement during an unprecedented 50-minute question-and-answer session with more than 500 members of the National Press Club, which is celebrating its 50th anniversary.

The President said that once the right to vote is firmly guaranteed by Federal law, state and local voters would solve the school problem and insure the "proper observance of their other rights."

The President covered a dozen subjects. All of it was on live, nationwide television, another precedent for Washington.

Other Topics Discussed

In addition to his discussion of civil rights, the President covered these subjects:

Federal economy—A balanced budget and stabilized cost of living would increase chances for tax relief. However, he is not thinking in terms of personal income tax cuts in 1960. He warned special pressure groups to lay off demands for heavy Federal spending.

Politics—He will take a hand in the selection of a 1960 Republican presidential nominee if the front runner turns out to be a man whose basic philosophy clashes with his. He said he couldn't support any aspirant whose views oppose his.

Missiles — Russia undoubtedly is ahead of the United States in some phases of rocket development. But United States scientists have made "very remarkable progress" in a comparatively short time. He has the fullest confidence in the "balanced" American approach to defense.

Germany—Russia's proposals to demilitarize West Germany amount to "an exercise in futility." But this country is "ready to make any assurances and material moves" to assure the Russians they are in no danger of German attack.

Red China—The rapidly growing industrial and military might of Communist China poses "a rather bleak problem" for both the United States and the free nations near the Chinese mainland. He said "we

must indeed be watchful."

Eisenhower described as "tragic" the fact that public schools were shut down in some areas to avoid compliance with Federal Court integration orders. He said the image of America was being damaged overseas because thousands of children were being deprived of their rightful education.

Not Area For Legislation

But he made clear he did not regard this as a current area for congressional action because guarantees of Negro voting rights should come first.

"First, I would like to see the problem of voting solved with whatever laws may be necessary, and then extend the life of the Civil Rights Commission and its powers, and make more clear cut its authority to examine the difficulties in voting," he said.

Should some of the states persist in closing schools to get around Federal Court orders, Eisenhower said, it would pose a difficult problem which would require much "time and dedication" to solve.

"But I do say, it must be solved," he said.

The President On Voting Rights

(From The Atlanta Daily World)

Declaring at this junction that he would like to see voting rights settled first, the President of the United States intimated that voting would have much to do with the school situation. Deploring the aspect of school closings to get around the court decision decided upon law, and the chaos existing in certain Southern states, he termed the occasion as tragic. This tragic affair, he hints, would succumb to the strokes of free voting. Then it is important that such restrictions, as have been used in the suppression of voting, must be removed.

The president hit upon something on this score. The record of the past, as relates to Negro schools, is sufficient to prove this point.

There are those still among us in active life, who recall when the elementary work of Georgia rural schools was carried on principally in churches, as far as the Negro was concerned. These schools lasted in many areas only three months, with teachers seldom above the grades in educational qualification.

There were no public supported high schools for Negroes. The Negro found out long ago just what the President is now saying regarding the relationship of the ballot and the schools.

Figures will disclose the enormous educational opportunities since the Negro began participation in elections. Since the ballot was restored, the growth of the Negro High School system reached almost every county in which there was sufficient Negroes to support the project.

Today, our school system, while planted upon a separate but equal principle, would do credit to any state. This does not say that there is no room for improvement, or that the classroom and teaching facilities are adequate, but it does argue that we are well on our way.

The opposition envisioned, also, what the President is now saying. After the ballot was restored there crept across its path every manner of subterfuge, handicap and threat to keep down Negro voting. The vote challenge practice probably came to its heights in 1946 when counties in wholesale fashion resorted to it in such flagrant methods, that it drew the fire of those challenged, who, without any civil rights assistance, went about to enjoin in court such an underhand method meant to take the place of white primaries and other evasive measures which kept the Negro from the ballot.

Surely it is tragic for civilized people, leaders and custodians of the people's liberties to resort to closing the schools in the faces of the children of the South.

The President suggests also the extension of the life of the Civil Rights Commission. That commission is at present working on the Alabama vote denial investigation. It does deserve a new lease of life that it may still work in those areas where the ballot is being suppressed.

Evidently non-voting is a barrier in the way of free education; those who would indulge in the practice are contributing to the condition which is gradually leading up to the closing of the schools and that tragic aftermath.

The All-Citizens Registration Campaign finds excellent thrift in the Presidents suggestion. At a high pitch of enthusiasm during the next few weeks, Atlanta will set a record pace through the committee in rolling up new voters.

They are becoming of 18 every day. Let them enroll in this stride to not only protect the schools, but to keep the arms of liberty high and uplifted.

Justice Department Moves In

The Louisiana Weekly 11-28-59.
New Orleans, La.

The oft heard expression of the 'professional' Southerners "Leave us alone. . .Let us solve our own problems. . .We love the Negro and treat him fairly" has worn pretty thin after 80 odd years or more. In fact it has worn so thin in some Southern areas that the U.S. Justice Department announced last week, it will file more court suits where Negroes are denied the right to register and vote.

Making the announcement was Joseph M. Ryan, Jr., acting head of the civil rights section of the Justice Department, who said he felt suits already in court including the one filed last week in Tennessee might cover all methods by which Negroes are denied their privileges. The first four suits have been filed in Georgia, Alabama, Louisiana and Tennessee.

Unquestionably stung by the general arrogance and disrespect of many Southern politicians for the Negro's right to vote as revealed by the Civil Rights Commission report the Justice Department has swung into action.

Now that the labor racketeers have been dealt with, it is now time for leaders and statesmen of this so called democracy of ours to move against the 'political hoodlums and racketeers' that infest Southern politics and deny Negroes the right to register and vote. Why should they be granted immunity any longer? Why should they be shielded any longer? Why should the fraud that has been perpetrated for so many years not be exposed in the pitiless spotlight of publicity?

Said Roy Wilkins in a recent speech: "The right to vote is a basic American right. Disfranchisement of the American colonies was one of the causes of the Revolutionary War. In the whole South today only 25 percent of the Negro citizens eligible are registered to vote whereas 60 percent of the white eligibles are registered.

"We are all familiar with the story of the denial of the vote to Negro Americans. It needs no detailed repetition. Through trickery and threats and even violence, Negroes have been kept from the polls. Today, 183 years after the Revolution of 1776, we still have in America taxation without representation; millions of citizens are still seeking government of, by and for the people. . .

"The NAACP is conducting a campaign in voter education, seeking increased registration – in the North and in the South – of Negro voters. There are places in the South where only the apathy and indifference of Negro citizens themselves bar them from voting. .

"The Negro insists on the right to register and vote, guaranteed by the Constitution. He hears his country calling upon the world for free elections in Europe and Asia. He wants free elections in Alabama, Georgia, Mississippi and the rest of the South. If democracy is precious in Hungary, it is precious in the American South."

Meager and slow as this action by the Justice Department might be, it gives most Negroes in the South a boost in morale and renews his faith in democracy. Further, it indicates that in the year 1960, when a new president is elected some important changes will be made in protecting and insuring the voting rights of all American citizens.

Greater participation by Negroes in the election of public officials in the South would practically eliminate political demagogues and hate merchants, personal safety and protection under the law would be greater, there would be more opportunity for jobs in public offices, and there would be more effective health services plus the knowledge that we have performed as real and true American citizens.

Immediately after the Governor's race let us get back to the job of trying to reach our potential of 100,000 voters in the Crescent City. That is the best way we can help New Orleans become a truly democratic and international city that will beckon the all important tourist, big industry and national

ed and has found the vast numbers of unregistered Negroes a cause for major concern.

He points out that there are only about six million Negroes registered in the United States, less than two-thirds of the eligible estimated number.

This failure on the part of Negroes to regiater and vote, he says, represents one of the greatest challenges of our time. To overcome it, he is urging each Noble to groes to register and vote, he says, until the last person in his community is a registered voter.

The task this year is expected to be even more difficult, particularly in areas of the South which are waging a last-ditch fight to hold onto segregation. In Alabama, for example, new bills were passed last week in the closing hour of the 1959 Legislature aimed at curbing efforts of Negroes in the state to register and become voters.

Shriners Seek To Register 60,000

Chicago Defender
Chicago, Ill.

LOS ANGELES — An all-out effort toward increased political participation by Negroes in the United States will begin Nov. 22, as the 15,000-member organization of Prince Hall Shriners launch a national drive to help register the more than four million unregistered Negroes in the U. S.

The week-long campaign will end Nov. 28, with each Negro Shriner among the 150 Temples in 37 states expected to be personally responsible for having obtained four new voters in his particular voting area.

Announcement of the concentrated registration drive was officially issued by the organization's presiding officer, Imperial Potentate Booker T. Alexander, of Detroit, who annually tours the majority of states where Temples are locat-

Slight '60 Effect Seen In Negro Vote Tests

The Evening Star
Washington, D. C.
Nov 6 1959

By ROBERT E. CLARK
Star Staff Writer

The Southern Negro's chances of voting in the 1960 presidential election probably are not going to be much better than they were in 1956. But they may have been helped slightly by two developments of the past week.

In a case testing the sinew of the Civil Rights Act, the Supreme Court agreed to decide whether the 1957 law arms the Federal Government with the right to sue States to enforce Negro voting rights.

In a new assault on the "white primary," the Justice Department filed suit on behalf of a group of Negroes in Tennessee.

Neither of last week's actions is likely to have a substantial effect on Negro voting in 1960. Both are important tests of Federal powers in the field of voting right, however, and they could make it easier for Negroes in such states as Alabama, Mississippi and Louisiana to vote in 1964 or 1968.

The slow progress toward enforcement of Negro voting rights under the new civil rights law has been a disappointment for those who set 1960 as a target date for crashing through traditional Southern roadblocks.

Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People and its chief lobbyist on Capitol Hill, blames both the Civil Rights Commission and the Civil Rights Division of the Justice Department.

Optimism Dimmed

"If the Justice Department had used the new civil rights law it would have vastly improved conditions in the South —there would have been a near revolution in the voting picture," he says.

The NAACP has lost its earlier optimism that the 1957 law would make it possible to register thousands of Southern Negroes who have never voted for a President or in any other election.

In 1956 only 25 per cent of the South's nearly five million Negroes of voting age were registered. The NAACP hoped to boost this figure to 60 per cent by 1960.

Increasing the Negro's chance of voting in 1960 has also been a prime objective of the Civil Rights Commission. Now some of its officials concede privately there is little chance of any appreciable increase in registration in the deep South and a serious possibility of a decline in some States.

Discrimination Holds

There is optimism, however, that the Negro vote will be larger in such border States as Virginia, North Carolina, Florida, Texas and Tennessee.

Despite the new teeth in the civil rights law, the Civil Rights Commission said in its report in September that there is still no effective way to deal with discrimination against the Negro voter. It proposed appointment of Federal registrars in areas where Negroes are barred from the polls but prospects for Congressional approval of such a plan before the 1960 elections are considered slim.

The "white primary" is one example of the difficulty of enforcing Negro rights. The Supreme Court ruled 15 years ago that Negroes cannot be barred from voting in primary elections. Yet, the Justice Department alleges, a Democratic primary in Fayette County, Tenn., last August was limited by direction of the officials involved to "white Democrats."

There is little doubt that the Justice Department will win this case in court. But in scores of other Southern communities Negroes are kept from voting by other devices that are just as clearly illegal.

As the Civil Rights Commission said in proposing Federal registrars as the only solution:

"The burden of litigation involved in acting against each new evasion of the Constitution, county by county and registrar by registrar, would be immense."

The Justice Department has filed four suits under the 1957 Civil Rights Act, including last week's action. In each of the previous three cases it has been partially thwarted by Southern courts.

It may be that the Southern courts will be reversed in each case that reaches the Supreme Court. But there is no question that the "burden of litigation" has thus far made progress under the 1957 civil rights law painfully slow.

INTERPRETIVE REPORT

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GENERAL

Seek Injunction Against Use of White Primary

Special to The Inquirer

WASHINGTON, Nov. 16.—The Department of Justice moved for the first time Monday under the historic civil rights act of 1957 to insure Negro voting rights in the South.

It filed a suit in the United States District Court at Memphis, Tenn.:

1. Attacking the legality of a "white primary" election held in Fayette county last August, for local officials, at which qualified Negro voters were barred from the ballot box.

2. Asking the court for an injunction to prevent repetition of the practice. In solidly Democratic Fayette county, a primary victory means election, with the later general election only a formality.

By coincidence, the right of Negroes to register for elections in the South also figured in Monday's proceedings before the Supreme Court in a civil rights act case.

REVIEW VOTE CASE

The high court agreed to review another Justice Department suit seeking to make the State of Alabama responsible for State registrars who had barred Negroes from registering to vote.

At its last term, the Supreme Court had agreed to review a Federal District Court ruling at Macon, Ga., that key sections of the civil rights act were unconstitutional.

Thus the right of Negroes to both register and vote, guaranteed by the Constitution, but never enforced in the South, are under judicial scrutiny at both the local, State and national level.

CATALYTIC AGENT

The catalytic agent in all cases is the 1957 civil rights act, first such legislation since Reconstruction days, which was rammed through Congress despite desperate delaying actions by southerners.

Among other things, the act bars interference with voting rights because of race, creed or color. And it authorizes the United States Attorney General to seek court relief in such cases with or without the consent of those victimized.

The suit filed at Memphis Monday apparently brought to fruition the foreboding expressed by many southerners on what they called the "hidden dangers" of the civil rights act.

PRESS ENFORCEMENT

Also, it showed that the Government is determined to enforce the civil rights act guaranty to vote, and not just the right to register to vote. The three court suits started earlier under the act, in Alabama, Georgia and Louisiana, concerned registration only.

The Memphis suit was based on a "white primary" held in the 15 voting districts of Fayette county on Aug. 1, under supervision of the Fayette County Democratic Executive Committee.

NEGRO VOTERS BARRED

On balloting day, according to the suit, a letter from the committee was placed over each ballot box. It read:

"Only White Democrats are authorized to vote in this primary. If any Negroes should ask to vote in your district, they are to be informed that this is a White Democratic primary, and not a general election."

Several Negroes who attempted to vote were turned away, the suit charged.

The suit did not seek to set aside the election results, nor punish the election officials involved. Instead it asked that the "white primary" be declared illegal, and sought an injunction against its future use.

Defying an injunction, if one is issued, might bring a $1000 fine or six months' imprisonment under the civil rights act.

What About the 4,000,000 Voteless Negroes?

Calls for Admission of '51st State'

PHILADELPHIA — Secretary of Property and Supplies Andrew M. Bradley, grandson of a slave and the first Negro to hold a cabinet post in any state government since Reconstruction Days, has called for admission of a 51st state into the Union to follow Alaska and Hawaii.

Bradley said the 51st state will have no boundaries and state capital. "But it will be bigger than any single state in the nation and have more eligible voters than four times the entire populations of both Alaska and Hawaii combined. This 51st state won't even have a name.

Bradley made the dramatic proposal for admission of a 51st state into the Union to emphasize the disenfranchisement of four million Negroes in 11 Southern states not permitted to register or vote.

• "These disenfranchised Americans represent four times the entire populations of our two new sister states.

• "However laudatory the enfranchisement of the populations of Alaska and Hawaii by their admission into the Union, still does not excuse the deliberate exclusion of four million Southern Negroes."

Bradley informed a large group of Philadelphians attending a silver anniversary celebration of the Rev. Dr. D. W. Hoggard's pastorate of Mount Carmel Baptist Church, that legislation gained statehood for Alaska and Hawaii.

"Negroes voters in Northern cities could gain the same rights for Southern Negroes through legislation encouraged by Negro vote strength."

■

HE SAID Negroes lose considerable voting strength by failure to vote and register in the North.

'Negroes trail by 5 per cent in voting and by 5 per cent in registration in comparison with proportionate numbers of whites."

Bradley described these Negro vote laggards as "shameful five percenters," and said the goal of Negro leaders must first be to get full voting strength of their numbers before campaigning for Southern Negro enfranchisement.

Gallup Poll—

Third Of Voters In South Oppose Roman Catholic

By GEORGE GALLUP
Director, American Institute of Public Opinion

PRINCETON, N. J., May 3. —If Senator John Kennedy or any other Roman Catholic should become the Democratic nominee next year, would he follow Al Smith's path to defeat in the South?

Ever since a majority of Southern voters in 1928 bolted the Democratic Party to vote for the Republican (and Protestant) Herbert Hoover, any discussion of nominating a Catholic for president inevitably centers on possible reaction of the South.

A special Gallup Poll study of Southern reactions to a possible Catholic candidacy in 1960 reveals:

The South remains the center of opposition to a Catholic president—one voter in three in the 13 Southern states says he would not vote for his party's candidate if the nominee happened to be a Catholic.

Here is the poll:

"If your party nominated a generally well-qualified man for president, and he happened to be a Catholic, would you vote for him?"

	South	Non-South
Yes, would ..	53%	73%
No, would not	35	20
Don't know ..	12	7

As in the case with the rest of the country, the degree of opposition to a Catholic has lessened in the South over the last two decades. For the nation, the proportion who would vote for a Catholic has gone from 62 per cent to 68 per cent. In the South only, this has been the trend:

	Today	1940
Yes, would ...	53%	51%
No, would not	35	41
Don't know ..	12	8

Anti-Catholic sentiment today is not so strong in the states of the Deep South as it is in the states of Virginia, North Carolina, Arkansas and Florida.

Opposition to a Catholic president in the Southern states stems primarily from a fear that his conduct in office might be unduly influenced by the Vatican.

NEGRO VOTE VITAL, G.O.P. WOMEN TOLD

34e General

White House Assistant Says Failure to Cultivate Group Figured in '58 Defeat

Special to The New York Times.

WASHINGTON, April 14—A White House administrative officer told the seventh annual Republican Women's Conference today that the party's failure to win the Negro vote caused "ignominious defeat" last November.

The speaker was E. Frederic Morrow, in charge of special projects at the White House. Mr. Morrow, a Negro, said the same thing could happen in 1960 unless the party had some "soul-searching leaders" who could comprehend this question:

"What do we have to do to win the Negro vote?"

"The basic failure of the party to recognize Negro Americans as first-class citizens, with all the hopes and aspirations that go with this role in American life, is the primary contributing factor to the party's failure to attract and to hold the Negro voters' loyalty," Mr. Morrow said.

Cites Democratic "Ballyhoo'

"President Eisenhower's philosophy of democracy," he continued, "has not penetrated the local precincts, the county and state governments and local party machinery.

"And until it does, there is no remedy available that will overcome the Democratic party's ballyhoo that it is the poor man's party, and, despite the intolerance of the South on the matter of human rights that it —the Democratic party—has an exclusive patent on the brand of democracy that embraces the downtrodden and the damned."

Mr. Morrow urged that the Negro voter be given evidence of sincerity of Republican leadership on the matter of human rights in Congress, state legislatures and city halls.

"In this nation, with our very existence threatened, there is no longer room for detached islands of segregation or discrimination within our country," he said.

"How can we dare to preach the brotherhood of God in Africa and Asia when we cannot practice the brotherhood of man within our own borders?"

Earlier, Attorney General William P. Rogers said the Eisenhower Administration had made more progress for civil rights than had been made in the previous twenty years.

"We have tried to make progress and also to recognize some of the practical problems, real and emotional, that are involved," he said. "To proceed with due regard to emotional and psychological factors we believe to be the best way to make progress."

The Attorney General said that today the administration of justice was more important than ever before in this country.

"We are the leaders of the free world, and what we do affects the attitudes of people all over the world," he said.

At the concluding dinner tonight, Mrs. Clare B. Williams, assistant chairman of the Republican National Committee in charge of women's activities, began a doorbell-ringing and telephone campaign. She said its purpose was "to carry the Republican party to victory in 1960."

She asked about 2,000 Republican women, each of whom had been given a small bell to ring, to "become a vast web of communication."

ALABAMA LEADING IN VOTE BAN CASES

Rights Board Reports 119 in State Out of 310 Total, Mostly in the South

WASHINGTON, May 17 (AP) —More than one-third of the voting complaints filed with the Federal Commission on Civil Rights have come from Alabama, a House Appropriations subcommittee was told in testimony reelased today.

Commission spokesmen said that from its founding in the fall of 1957 through last April 30 it had received 310 voting complaints, including 119 from Alabama. They praised the voting situation in some sections of the South and criticized it in others.

The witnesses said that the commission had received 922 complaints of all kinds, including 114 that were illegible, anonymous or abusive.

Vote Complaints Listed

The voting complaints were listed by states as follows:

Alabama, 119; Arkansas, 6; Florida, 14; Georgia, 1; Illinois, 2; Indiana, 2; Kansas, 1; Kentucky, 1; Louisiana, 95; Maryland, 1; Massachusetts, 1; Mississippi, 41; Missouri, 2; Nebraska, 1; New Jersey, 1; New York, 1; North Carolina, 2; Oklahoma, 1; Pennsylvania, 2; South Carolina, 3; Tennessee, 7; Texas, 1; Virginia, 2; West Virginia, 1; Wisconsin, 2.

At the hearings, held early this month, the subcommittee chairman, Representative John J. Rooney, Democrat of Brooklyn, remarked that he was impressed by the small number of complaints.

"We attach great significance," commented Gordon M. Tiffany, commission staff director, "to the denial of the right to vote in any single instance."

In that clasification, he added, the commission believes "the numbers are shocking."

The commission chairman, John A. Hannah, testified that many factors prevented people from filing complaints, one being fear of reprisals. He said that at commission hearings in Montgomery, Ala., in December, thirty-seven complaintants testified.

"If there was any question as to what was happening in these counties of Alabama, at least, it appeared that they were being deprived of the right to register because they were Negroes," he declared.

He said that most civil rights complaints in the South dealt with voting while in the North they were largely concerned with housing.

The commission was seeking an appropriation of $288,000 to carry it to Nov. 8. Mr. Hannah said that if legislation was passed to extend the commission beyond that date it would request a supplemental appropriation of $500,000 for the remainder of the fiscal year.

He testified that, from the standpoint of the good for the country, he thought the commission should be continued but that, from a personal standpoint, his answer would be "no."

He declared that "this is a onerous task and it is not a task that anyone seeks" and cited a newspaper poll which indicated that commission members did not want to serve much longer.

Six States Arraigned

JACKSON, Miss., May 17 (UPI)—Roy Wilkins, executive secretary of the National Association for the Advancement declared here today that six southern states still had not made on the elementary and secondary school levels even token compliance with the Supreme Court's order to desegregate public schools.

He addressed a state-wide rally of the association in observance of the fifth anniversary of the ruling.

About 1,200 Negroes attended the meeting. A dozen plain clothes, policemen and Hinds County deputies were in the hall or waiting outside. A representative of the State Sovereignty Commission, the official agency for maintaining segregation, also kept a lookout on the gathering.

Is Your Name Written There?

It Must Be In Poll Tax Book In 5 States To Vote

By THOMAS L. DABNEY

Is your name written there?

This question has no reference to the roll book that the hymn mentions in the popular song "Is Your Name Written There?" It refers to the poll tax book which carries the names of the residents in a county, town or city who have paid the poll tax.

REMEMBER what Christ said when asked if anyone should pay tribute to Caesar? He told the group to "render unto Caesar the things that are Caesar's and unto God the things that are God's."

The above question pertains to the Caesar angle of every adult's responsibility to his community, state and nation. Adults who live in a poll tax state must pay the tax to qualify to vote. The poll tax states are Alabama, Arkansas, Mississippi, Texas and Virginia. In these five states if your name is not in the poll tax book, you can't vote. In Virginia residents who desire to vote must also have their names in the registration book.

THE POLL TAX in Virginia is $1.50 a year. The poll tax for this year will be due November 1, and it must be paid by December 5 to avoid a penalty for late payment. Residents who owe three or more years poll taxes must pay for three years to qualify to vote in Virginia.

Virginians, who wish to vote in July and November must pay their poll taxes for 1956, 1957 and 1958. Twenty-one-year olds should go to the office of the city or county treasurer and be assessed for the poll tax, and pay for one year to qualify to vote because no one can vote in Virginia without paying the poll tax.

AN ADULT who has the civic zeal of an evangelist will not only qualify to vote, but will see that the eligible members of his family will qualify to vote. Then he will encourage his neighbors and fellow workers to qualify to vote.

The ballot is becoming increasingly important because citizens are being called on to vote on so many issues. Scientifically, we speak of the space age, but politically this is becoming a referendum age. Virginians may be asked to vote on whether to continue the public school system in the near future. Those who can vote will have the weapon best suited to protect the interest of the average person. Equality is a reality at the ballot box.

Ugly Struggle For Negro Vote

IT HAS BEEN said in these columns on many occasions that the large registration of Negro voters would arouse a struggle among white office seekers for those votes that would bring about a return of the corrupt conditions of Reconstruction. Mississippi is the latest illustration of how it is happening. It is estimated that Mississippi has 25,000 Negro voters. With a state campaign coming up, these 25,000 voters are enough to be a balance of power if voted as a block. Gov. Coleman is accusing one of the candidates for governor of doing this very thing and of making overtures to Negro voters for selfish political purposes.

It is likely to happen anywhere. Certainly the Negro vote in Montgomery was decisive in a recent election, and people see no way in which such a thing can be prevented, especially if registration continues and Negro voters are put on the rolls wholesale in the reckless and careless manner in which it was done during Reconstruction.

It is unfair to say that the Negro vote will always be a bloc vote, for that is not true. In past elections the vote has been divided largely as it has been divided among other groups of the population. But with the great increase we are likely to have a situation arise like that in Atlanta today where the same mayor has been in office for more than 20 years because he carries his city's heavy Negro vote in his hip pocket.

Such a situation is sure to encourage corrupt government and ought to be guarded against in all possible ways. We don't want to see our politicians struggling either openly or covertly for the Negro vote in order to win an election. We want our elections decided by the sturdy citizens who have spent their lives in efforts to insure and preserve the South's way of life.

'BILL OF RIGHTS' DISTURBS LABOR

Leaders Find Amendment Is Most Threatening of All Reform Measure Changes

By JOSEPH A. LOFTUS

Special to The New York Times.

WASHINGTON, May 21—Labor leaders view the so-called "bill of rights," even in its modified form, as the most threatening amendment inserted in the Kennedy labor reform bill.

A confidential analysis and evaluation of the bill, from a union point of view, describes the penalties provisions as "exceedingly harsh and punitive," but it is the bill of rights that is found most disturbing.

It is that provision primarily that guided the Executive Council of the American Federation of Labor and Congress of Industrial Organizations in deciding yesterday to oppose the Senate-approved bill in its present form.

Two documents were before the twenty-nine-member council when it acted. One was a routine analysis translating the bill into layman's language. The other, an evaluation of the potential impact, was all but classified as secret. Numbered copies were assigned to members and staff to guard against indiscriminate circulation.

'Most Serious Change'

The latter document said:

"The most serious of the changes made on the Senate floor was the insertion of a new Title I." This is the bill of rights, a substitute for one originally sponsored by Senator John L. McClellan, Democrat of Arkansas. It purports to guarantee certain rights of union members, such as free speech and voting, against infringement by union officers.

This provision is evaluated as follows:

"The principal difficulty with the approach of Title I is not, really, the nature of the rights which it guarantees. These rights are generally guaranteed by union constitutions, and, in the absence of such constitutional protection, by state courts as a matter of common law.

"Arguing against these rights is like arguing in favor of sin. However, by attempting to spell out these rights, by making them the basis for a Federal civil action, in addition to state remedies, and by making the criminal penalties in the bill applicable to Title I, the amendment can create serious difficulties for the trade union movement.

Invitation to Litigation

"Specifically the provision of Title I constitute, in our view, (a) an invitation to litigation, (b) a fertile source of conflict between Federal and state law, (c) an improper interference, in perhaps unintended ways, with legitimate union activities, and (d) a threat of probably unconstitutional criminal sanctions.

"By spelling out rights already contained in union constitutions and specifically making them the basis for civil actions in the Federal courts, Title I simply invites dissident union members to institute litigation.

"This invitation to litigation is coupled with the preservation of existing rights and remedies under state law. A union constitution is enforceable, as a contract, under state laws today. But providing additional remedies, in the Federal courts, while specifically retaining present remedies, Title I can lead to conflict between the state and Federal courts and, in addition, furnish a totally unwarranted opportunity for forum shopping by those anxious to promote litigation against unions.

"At the very least, any bill dealing with this subject matter should provide for exclusive resort to the Federal courts.

"The difficulty with making the Federal remedy exclusive is that to do this it would be necessary to make sure that all of the rights guaranteed by union constitutions are guaranteed by Title I. An exclusive Title I, in other words, would have to be an inclusive Title I.

"This would, of course, multiply the direct Federal interference with internal union affairs contianed in the present Title I. These are bad enough as they are. Because of the infinite complexity of varying union organizations, any effort to write a detailed code of procedures for all unions into Federal law must inevitably end up either in such general terms as to be susceptible of almost any interpretation (and hence a breeding ground for litigation) or as a strait jacket which inhibits obviously reasonable and desirable union practices.

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GENERAL

Seek Ruling On U.S. Vs States In Vote Denials

Justice Dept. Asks Study Of Remedy In Vote Denials

By LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — The Justice Department has asked the Supreme Court to review one of two cases involving the question of whether the remedy for deprivation of voting rights, prescribed by the 1957 Civil Rights Act, is any good.

The specific question the Justice Department wants the court to decide is whether the Act authorizes the United States to sue a state to enjoin discriminations against colored citizens unconstitutionally denied the right to vote.

The Federal District Court at Montgomery, Ala., and the United States Fifth Circuit Court of New Orleans have held:

1. That the United States could not sue the State of Alabama because the Civil Rights Act did not authorize suits against states.

2. That Grady Rogers and E. P. Livingston could not be sued as individual members of the Board of Registrars for Macon County, where Tuskegee Institute is located, because they had resigned before the suit was brought.

3. That the Macon County Board of Registrars is not a suable entity under Alabama law nor a "person" subject to suit within the meaning of the Civil Rights Act.

PROTECTION QUESTIONED

Unless the Justice Department succeeds in knocking down these rulings, the Attorney General will be completely hamstrung in seeking to protect the right to vote.

In a case from Terrell County, Ga., the Federal District Court went even further and held unconstitutional the section giving the Attorney General authority to bring civil suits to enjoin illegal denials of the right to vote.

The Alabama and Georgia cases will probably be argued before the Supreme Court at the same time.

The Justice Department, in asking for a review of the Alabama case, says the case dramatically illustrates the proposition that, if a state is not amenable to the Act, the statutory objectives may be thwarted.

As soon as there is an inkling that a federal investigation is afoot the voting registrars may resign, the petition states.

Rogers and Livingston resigned as registrars in Macon County after the Civil Rights Commission initiated its investigation of the refusal to register qualified colored persons.

If the state may be sued, the Just. Department states, there is ample and appropriate powers to require the state to take steps to remove discriminations which have been imposed in the past and give effect to the right to vote.

REFUTES RECISION

The Justice Department contends that lower Federal courts have incorrectly decided that the Attorney General may not use a state to enjoin denials of the right to vote for two reasons:

1. The language of the 1957 Civil Rights Act does not preclude a suit against the state and the question whether such actions are authorized must be answered by the purposes and history of the legislation.

2. A study of the background and environment of the Act demonstrates that it was designed to carry out the command of the 15th Amendment.

The 15th Amendment provides that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Section 2 gives the Congress "power to enforce this article by appropriate legislation."

Lower Federal courts held that an injunction under the 1957 Civil Rights Act may not issue against a state.

The Justice Department maintains that the Act does not impose any such limitation upon the grant of relief.

"The history of the struggle over civil rights legislation in the 85th Congress leads one fairly to the conclusion that, so far as the right to vote was concerned," the petition assents, "Congress undertook to provide the most comprehensive protection."

HIGH COURT LINKS CRIMINAL JURIES AND NEGRO VOTING

Refuses Mississippi's Appeal of Ruling Against the Use of All-White Panels

STATE FACES DILEMMA

Must Ease Franchise to Get Mixed Panels or Allow the Convictions to Be Upset

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, Oct. 12 — Mississippi was faced today with the choice of permitting more Negroes to vote or of risking eventual wholesale reversals of criminal convictions of Negroes.

Those alternatives were left by the Supreme Court's refusal today to review a notable decision by the United States Courth of Appeals for the Fifth Circuit.

This was the first regular business day of the court's new term. It disposed of several hundred cases by brief orders and then began hearing the term's first argument—on the long-controverted Gulf Coast offshore oil lands.

In one action, the court agreed to hear an appeal from a Georgia decision that compulsory union membreship was unconstitutional if dues were used for political purposes.

Writ Sought by Counsel

The Mississippi case that the court refused to review is that of Robert Lee Goldsby, a Negro convicted of murder in Carroll County, Miss. His counsel sought a writ of habeas corpus from the Federal courts to free Goldsby on the ground that no Negroes served on juries in Carroll County.

Under long-standing precedents, the systematic exclusion of Negroes from juries in a locality makes any convictions of Negroes there constitutionally void.

In Mississippi, jurors are chosen from lists of registered voters. Carroll County, with the population more than half Negro, has no Negro voters.

Last Jan. 16 the Fifth Circuit held Goldsby's Conviction void. It said the bare fact that Carroll County had no eligible Negro voters, and hence no Negro jurors, was sufficient to prove the "systematic exclusion" of Negroes from juries.

The Court of Appeals gave Mississippi eight months to try Goldsby before a constitutionally constituted jury. If no trial was begun within that time, it intimated that it would order Goldsby released.

In the petition for Supreme Court review, Mississippi's Attorney General, Joe T. Patterson, said the end result of the Goldsby case, if the decision was not reversed, would be to "render all Negroes immune to successful prosecution for any and all crimes in the district where Goldsby was tried.

"If all members of any race voluntary refrain from seeking to become qualified for jury service over the years, as in the instant case," Patterson wrote, "we know of no legal means by which they can be required to become so qualified, and we are sure that this court would not suggest that Negroes be coerced against their will to become quilified jurors."

Concern Increased

The opinion of Judge Richard T. Rivese for the Fifth Circuit held, however, that the failure of Negroes to register as voters in Mississippi was not their own choice.

"We cannot assume," Judge Rives wrote, "that Negroes, the majority class in Carroll County, has en masse, or in any substantial numbers, voluntarily abstained from registering as electors.

"We do not feign surprise because we have long known that there are counties not only in Mississippi, but in the writer's own home state of Alabama, in which Negroese constitute the majority of the residents but take no part in government either as voters or as jurors.

"Familiarity with such a condition thus prevents shock, but it all the more increases our concern over its existence."

The Goldsby case is sure to have effects throughout Mississippi, not only in Carroll County.

Statistics Cited

The recent report of the Civil Rights Commission said that fourteen Mississippi counties had not a single Negro voter registered in 1955, the most recent year for which statistics were available. Negroes made up 109,000 of these counties' 230,000 population.

Furthermore, the commission reported, in exactly half of Mississippi's eighty-two counties fewer than 1 per cent of the Negroes of voting age were registered. In the whole state the commission found only 22,000 registered Negroes, and only 8,000 of them were estimated to have paid their poll taxes.

Some observers believed the Goldsby case had something to do with the lynching of Mack Lee Parker, an accused rapist, in Popularville, Miss., last April.

The feeling was that local citizens knew of the Goldsby rule and feared that any conviction of Parker would eventually be set aside because of jury discrimination. Hence, it has been said, they took the law into their own hands.

U.S. Moves To Insure Negro Vote Files Suit Under 1957 Rights Act

By Victor Wilson

WASHINGTON, Nov. 16.—The Department of Justice moved for the first time today under the historic Civil Rights Act of 1957 to insure Negro voting rights in the South.

It filed a suit in the United States District Court at Memphis, Tenn.:

1. Attacking the legality of a "white primary" election held in Fayette County last August, for local officials, at which qualified Negro voters were barred from the ballot box.

2. Asking the court for an injunction to prevent repetition of the practice. In solidly Democratic Fayette County, a primary victory means election, with the later general election only a formality.

By coincidence, the right of Negroes to register for elections in the South also figured in today's proceedings before the Supreme Court in a Civil Rights Act case.

Agrees to Review Suit

The high court agreed to review another Justice Department suit seeking to make the state of Alabama responsible for state registrars who had barred Negroes from registering to vote.

At its last term, the Supreme Court had agreed to review a Federal District Court ruling at Macon, Ga., that key sections of the Civil Rights Act were unconstitutional.

Thus the right of Negroes to both register and vote, guaranteed by the Constitution but never enforced in the South, are under judicial scrutiny at the local, state and national level.

The catalytic agent in all cases is the 1957 Civil Rights Act, first such legislation since Reconstruction days, which was rammed through Congress despite desperate delaying actions by Southerners.

Among other things, the act bars interference with voting rights because of race, creed or color. And it authorizes the United States Attorney General to seek courtrelief in such cases without or without the consent of those victimized.

The suit filed at Memphis today apparently brought to fruition the foreboding expressed by many Southerners on what they called the "hidden dangers" of the Civil Rights Act.

For it sought to outlaw the barring of Negroes from voting for local officials, and not just those running for Federal office.

Also, it showed that the government is determined to enforce the Civil Rights Act to guaranty to vote, and not just the right to register to vote. The three court suits started earlier under the act, in Alabama, Georgia and Louisiana, concerned registration only.

The Memphis suit was based on a "white primary" held in the fifteen voting districts in Fayette County on Aug. 1, under supervision of the Fayette County Democratic executive committee.

Letter on Ballot Boxes

On balloting day, according to the suit, a letter from the committee was placed over each ballot box. It read:

"Only White Democrats are authorized to vote in this primary. If any Negroes should ask to vote in your district, they are to be informed that this is a White Democratic primary, and not a general election."

Several Negroes who attempted to vote were turned away, the suit charged. It added that since none other than Democrats have been elected in Fayette County since Reconstruction days, a primary there affords "the only effective means of participating in the choice of the person to fill that office, because victory in such primary election is tantamount to election in the general election."

The suit did not seek to set aside the election results, nor punish the election officials involved. Instead it asked that the "white primary" be declared illegal, and sought an injunction against its future use.

Defying an injunction, if one is issued, might bring a $1,000 fine or six months' imprisonment under the Civil Rights Act.

'Remedy' Delayed

The right to vote is guaranteed in all states by Article 15 of the Constitution. But it wasn't until 1870 that a second article was added saying that "Congress shall have the power to enforce" voting rights. Congress failed to use this power until it voted the Civil Rights Act in 1957.

Thus, a Justice Department spokesman said today, while persons had a voting "right" under the Constitution, they had no "remedy" if denied the right until 1957.

Today's Supreme Court decision to review the Alabama registration case will bring under scrutiny a Federal District Court ruling at Montgomery, Ala., and a Federal Court of Appeals decision at New Orleans upholding the Montgomery court.

Both courts held that while the Civil Rights Act permits the Federal government to move against "persons" in voting registration cases, it can not sue a state.

The registrars at Macon barred Negro registration. They resigned office, however, before a Federal suit could be brought against them. The government then sued the state, holding that the registrars were its agents.

Shriners Seek To Register 60,000 New Voters

Los Angeles — An all-out effort toward increased political participation by Negroes in the United States will begin Sunday, Nov. 22, as the 15,000-member organization of Prince Hall Shriners launch a national drive to help register the more than four million unregistered Negroes in the U. S. The week-long campaign will end Nov. 28, with each Negro Shriner among the 150 Temples in 37 states expected to be personally responsible for having obtained four new voters in his particular voting area.

Announcement of the concentrated registration drive was officially issued by the organization's presiding officer, Imperial Potentate Booker T. Alexander, of Detroit, who annually tours the majority of states where Temples are located and has found the vast numbers of unregistered Negroes a cause for major concern. He points out that there are only about six million Negroes registered in the United States, less than two-thirds of an eligible number estimated to be between nine and 10 million. This failure on the part of Negroes to register and vote, he says, represents one of the greatest challenges of our time. To overcome it, he is urging each Noble to conduct a door-to-door campaign until the last person in his community is a registered voter.

The task this year is expected to be even more difficult, particularly in areas of the South which are waging a last-ditch fight to hold onto segregation. In Alabama for example, new bills were passed last week in the closing hours of the 1959 Legislature aimed at curbing efforts of Negroes in the state to register and become voters.

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GENERAL

Negro Vote Shift May Jar Demos

The Miami Herald
Miami, Fla. P. T. A.
Mon: 11-30-59.

By DON OBERDORFER
Of Our Washington Bureau

WASHINGTON—Top Democrats are now studying new figures which may dictate a strong party stand on civil rights in next year's presidential campaign. 34e

The new data is under study at Democratic national headquarters. It documents the striking defection of Northern Negroes from the party in the last few years.

Oberdorfer

It was already well known in political circles that many Negro voters switched from Stevenson to Eisenhower between the 1952 and 1956 campaigns.

But the new study documents an even more dramatic shift of sentiment among Negroes who do not vote. This is a large group.

With Negro voting expected to increase, particularly in the North, a continuation of this trend could be serious for the Democratic Party.

★ ★ ★

THE FIGURES in the new study put together by party staffers help explain the concern of Democratic National Chairman Paul Butler and others about the party's image with minority group voters.

Butler has alienated Southern leaders with his outspoken stand that the party platform must have a strong civil rights plank next year.

To illustrate the Negro defection, the new study relies heavily on figures acquired from "depth interviews" with Negroes over the country by the Survey Research Center of the University of Michigan.

Stevenson support dropped from 80 per cent to 64 per cent between the two campaigns among voting Negroes who were interviewed. Eisenhower's support rose correspondingly.

★ ★ ★

AMONG NON-VOTING Negroes interviewed, Stevenson support dropped from 73 per cent in the first campaign to only 32 per cent in the second campaign. Ike's backers rose from 27 per cent the first time to 68 per cent in 1956.

The Supreme Court's decision against school segregation in 1954 was mentioned prominently by Negroes who were asked to explain their switch in sentiment about the parties and the candidates. Many switchers talked in terms of racial dignity and racial pride.

Those who remained loyal seemed to do so mainly for economic reasons, the study said. Until recently, the image among Negroes of the Democrats as the party of the working man meant near-solid Negro support for Democratic national candidates.

★ ★ ★

ANOTHER ITEM of great concern to top Democrats is the continued defection of Negro leadership from Democratic allegiance. Some Negro political and press leaders, who are very influential among members of their race, are enthusiastic about Richard Nixon as a GOP candidate.

The strong influence of Negro leadership is shown by two statistics under study at Democratic headquarters.

In Chicago Negro wards where Rep. William Dawson (D., Ill.) is strong, Stevenson strength in 1956 declined about six per cent from the first campaign. Dawson was loyal to his party. This percentage is not much more than the Stevenson decline nationwide.

But in New York City strongholds of Rep. Adam Clayton Powell (D., N.Y.), Negro support for Stevenson declined a full 15 per cent. Powell switched his support from Stevenson to Eisenhower in 1956.

Broad Rights Action Asked of Congress

DETROIT, Jan. 31 (AP)—The Governors' Conference on Civil Rights today called upon Congress to authorize broader federal action with regard to voting rights, to facilitate orderly desegregation of schools, to curb violence and intimidation and to enact federal fair employment legislation."

At the same time the conference of 18 northern, border and western states called upon President Eisenhower "for strict executive enforcement of existing laws and executive orders."

Gov. Orville Freeman of Minnesota, who was chosen chairman to succeed Gov. G. Mennen Williams of Michigan, said the conference's action was unanimous. Six governors were present; 12 others represented.

In addition to calling for strict enforcement of civil rights laws by President Eisenhower, the bipartisan conference urged him to "use his power and prestige to give guidance and leadership that will help create a positive climate of public opinion."

Mutual Problem

The conference said in its statement that it considered civil rights a mutual problem of state and federal government and called upon the President and Congress "to match the commitment of these states."

All states represented have some type of civil rights legislation. So do seven others not represented.

The chairman of the U.S. Civil Rights Commission told the conference that the solution to civil rights problems "must come from the minds and hearts of all Americans."

Dr. John A. Hannah, president of Michigan State University, also said that "America needs most of all a great reawakening to truths, principles and values in areas the law cannot invade."

"We must not expect miracles," Hannah told the Governors' Conference on Civil Rights. "The laws and customs of decades cannot be changed overnight."

Hannah's commission is charged with advising the President and Congress on conditions which may be working to deprive American citizens of equal treatment and equal justice because of color, race, religion or national origin.

He emphasized in his speech: "It has no power to enforce law or correct any individual wrong it may uncover."

Probes Under Way

Hannah said it is doubtful his commission will hold any more hearings soon on alleged denial of voting rights to Negroes, but added that commission investigations are under way in Mississippi and Louisiana and may be expanded into Georgia, South Carolina and the northern counties of Florida.

Hearings at Montgomery, Ala., in which a series of Negro witnesses told of failure to gain voting rights gave the commission "abundant information on which to base recommendations to the President and the Congress." He didn't elaborate.

Hannah warned the governors or their representatives that "the problems of civil rights are not the problems of the South alone."

He said a hearing is scheduled in New York next Monday and Tuesday "to determine whether civil rights are being denied to minority groups in the field of housing and to what extent."

William Stratton of Illinois challenged a proposal to extend civil rights laws to govern the sale of privately owned housing, saying this might lead "to violation of the rights of the majority."

'New Negro' Urged To Harness 'Voting And Spending' Power

By Art Sears, Jr.

CINCINNATI (NNPA) - A plea for Negro leadership in America to begin planning for the unification of action and effort of the 16 million persons it represents was issued by W. O. Walker, president of the National Newspaper Publishers Association, here, last week.

Before a nationwide gathering of individuals, representing the most powerful Negro organizations in the country, Walker, who is also publisher-editor of the Cleveland Call and Post, cautioned his listeners to "...Give the Negro the leadership" which can eventually assure his receiving benefits from his work, his money and his power.

Walker addressed a special segment of persons who attended the Summit Conference of Negro leaders at Washington, D. C., last May, during which time he was authorized to call last week's session.

The Special Committee, as it will now be known, heard Walker spark it to thoughts of the Negro problems at Cincinnati's Hotel Sheraton Gibson, Saturday morning, where the previous day, he, along with other members of NNPA, held their annual meeting.

Sponsored by NNPA, the Summit Conference attracted 55 persons to the Gibson where they were divided into various groups charged with deciding various facets of the Negro problems. Future action of the Summit Conference will be based on their findings.

Walker, in his opening speech, declared that "Today, the Negro in America is at the bottom of the heap." The white people have planned it that way. So much so that even many Negroes believe they are inferior."

"The Negro," Walker continued, "in spite of himself," has raised up to a much higher level of thinking and working.

"We already have resources and strength upon which we can draw, in this cause," Walker said.

"One is in number. We have 16 million Negroes in the United States. Some say more; some say less. But numbers mean nothing unless those numbers are united."

The publisher went on to explain that "Unless these 16 million begin to vote and spend together," it will continue to mean nothing. He cited the fact that the Negro reputedly buys 16 billion dollars worth of goods each year.

"Yet Negro business has advanced but little in the last 20 years. In many fields, we have stood still; in others we have lost ground," the editor declared.

"We have not taken advantage of our tremendous potential. I doubt that we spend 16 million of the 16 billion we are suppose to spend with Negro businesses. We would be helping tremendously if each Negro only spent $1 per day at a Negro business. It isn't how much we earn, but how we spend what we earn," Walker continued.

The NNPA leader said that the Africans are "catching fire in a wave of Nationalism... they are echoing the theory of Marcus Garvey.

"We in America have got to catch fire on a wave of nationalism, or remain second class citizens of the world.

"Let us start giving back to the Negro the leadership which can bring meaning to the number 16 million."

Walker's second resource already held by the Negro, is the power of "the vote."

"If the proper organization and direction is brought to bear, we think, it will do a lot toward the unifying of Negroes.

"And new, young leadership is needed."

"These, then," Walker said, "are some of the challenges which face us. We've got to sit down together, talk about them, and then do something about them.

"We don't know the answers.. we must probe and plan. That's why we've asked for your help, which we need so badly in this effort."

Congressman Charles Diggs (D-Mich.) and Thurgood Marshall, top NAACP counsel were "off the record" speakers at the noon day luncheon.

Negroes Ask Quick Appeal On Decision

SHREVEPORT, La. (AP) — Spokesmen for Negro organizations in Louisiana, Alabama and Georgia Saturday asked for quick appeal of a federal judge's refusal to issue an order to prevent denial of Negro voting rights.

The government previously said the refusal by U.S. Dist. Judge Frank M. Johnson Jr. at Montgomery, Ala., will be appealed to the U.S. Fifth Circuit Court of Appeals in New Orleans.

A telegram from the three Negro organizations was directed to President Eisenhower and Attorney General Rogers.

One group represented was that of the Rev. Martin Luther King, Alabama integrationist leader. Ella J. Baker, associate director of the Southern Christian Leadership Conference, Inc., Altanta, Ga., spoke for the King group and two others.

She said the telegram was signed also by Rev. Ralph E. Abernathy, executive board chairman for the Montgomery Improvement Assn., and Dr. C. O. Simpkins of Shreveport, president of the United Christian Movement, Inc., in Louisiana.

Judge Johnson turned down the Justice Department in a request for an order to prevent denial of Negro voting rights in Macon County, Ala. He ruled there is no one to get an injunction against because the county has no functioning voter registration board.

Members of the voter registration board in the Alabama county have resigned and no one has been named in their places.

Miss Baker said the Negroes' message urged that appeal from this decision be prepared with the greatest care and pushed with all possible speed.

"Beyond this," it continued, "We urge President Eisenhower to use the full weight of his executive office and the Department of Justice to exhaust its resources to see that more meaningful civil rights legislation is enacted which will encompass section 3 of the 1957 Civil Rights Act... It should be crystal clear that only through unyielding federal action can Negroes hope to vote freely in the south."

Expanding The Negro Vote

The "moderate" position on civil rights, as these pertain to the nation's Negro citizens, is that voting rights should be recognized, and protected, for all citizens.

President Eisenhower is an exponent of this "school of moderation", perhaps the leader of it. Its adherents include such prominent national political figures as the majority leader of the Senate, the Speaker of the House, and aspirants for the presidential nomination. It includes columnists of wide influence, and, according to Mr Eisenhower, influential Southerners.

No matter what Negroes may think of this "school of moderation", or of the dedication or sincerity of its proponents, they ought to take advantage of the influence this thinking is bound to have on the general public. This very influence could, if properly exploited, result in a veritable blooming of a Negro vote in the South with a potential for changing the political climate of the region almost overnight.

Negro leaders have long recognized the fact that a small and inconsequential Negro vote handicapped efforts to improve the Negro status. Now seems the very best time to expand that vote, since the great influence of the so-called "moderates" will do two things:

(1) This influence will focus the attention of the nation on those localities which go to great lengths to deny Negroes the vote, thus bringing upon them pressure for change; and

(2) This influence will focus Negro attention on the benefits to be derived from the whole group voting.

Under the circumstances, voter registration and voter education drives ought get under way in every section of the South. The season is ripe for the greatest possible activity along this line.

Your Ballot Is Important!

25 Million People Are Americans By Just 1 Vote

By THOMAS L. DABNEY

"My vote won't count. What the politicians and officials plan to do, they will do whether I vote or not."

You have heard people who can't vote or will not vote say this or make similar statements. It is the patent excuse of people who are indifferent about voting and participating in the government. Yet over 25 million people are Americans in five states by one vote.

WELL, YOUR VOTE DOES count. It adds to the total number of votes in the community, the state and country. And it makes a great difference how many people vote and why they vote.

Actually, one vote has had a lot to do with important elections in this country. Thomas Jefferson was elected President of the United States by one vote in the electoral college.

RUTHERFORD B. HAYES WAS elected President by one vote. His election was contested, and the matter was referred to an electoral college. And again he won by one vote!

It happens that the man who cast the deciding vote for President Hayes was a congressman from Indiana, a lawyer who was elected to Congress by a majority of just one vote. And what is more significant about your vote is that the man who cast that one vote for the Indiana congressman was his client who, though desperately ill, insisted on being taken to the polls.

• • •

MORE THAN 25,000,000 PEOPLE are residing in five states which became a part of the United States by one vote. They are California, Idaho, Oregon, Texas and Washington.

Some people may shrug their shoulders and pass off the above cases as something unusual years ago. But don't forget that the draft act of World War II passed the House of Representatives by just one vote.

• • •

NOW LISTEN AT THIS! One more vote in each of Ohio's precincts in 1944 would have defeated Robert Taft. Just one more Republican vote in each of the precincts in 1949 would have carried the state for Mr. Dewey instead of Mr. Truman.

Remember, voting always counts. And these days, elections are being held often and on many issues. You have no one to blame but yourself if someone is elected to office who doesn't protect your interests because you didn't vote. The wrong official may be elected or harmful legislation may be passed because you don't vote.

Three or four state-wide organizations are conducting campaigns in other southern states to get more people to qualify to vote. These workers are busy in your community. Don't let them down.

Summit parley on voting scheduled for Memphis

MEMPHIS, Tenn. — Top civic - minded leaders of Tennessee will come together in a summit conference Saturday, Feb. 21, to discuss broadening their efforts to register all qualified colored voters in the state during 1959.

The conference is scheduled for 10 a.m., in the auditorium of Park Hall on the campus of Fisk University, Nashville, Tenn.

The decision to have the conference is an outgrowth of a campaign in 1958 and the one now in progress in Memphis.

Leaders of the various state and local organizations, regardless of political views, have been invited to attend, as the conference will be non-partisan and non - denominational.

High ranking religious leaders are expected to add their contribution to the meeting along with those from labor professional and social groups.

Some state leaders feel that it's not enough to have a large voting strength in just one or two places like Memphis, but every large city and county should more than double its present strength.

Memphis has approximately 60,000 qualified colored voters of whom 13,000 were added last year in less than 90 days.

W. C. Patton, who called the conference, says that it is expected that the branches of NAACP will take leads in expanding this registration.

The NAACP has a decided interest in the efforts to see that 3,000,000 colored citizens in the South vote in November, 1960.

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Rights Act Failing To Help Negro Voters

By HOWARD L. DUTKIN
Star Staff Writer

Federal efforts to protect the voting right of Negroes in the South present a picture of frustration a year and a half after passage of the much heralded Civil Rights Act.

The Justice Department, armed by the act with additional power, has tried to carry out the intent of the new law. But the score so far is two-to-nothing in favor of those determined to limit Negro voting.

The President's Commission on Civil Rights, set up under the act to investigate deprivation of rights with stress on voting violations, also has found rough going.

Basically, the obstacle in both cases has been what one official has termed "a stalling, passive resistance" in the deep South.

No Monopoly

Coupled with this is the fact the Federal Government has no monopoly on legal talent. Attorneys representing the recalcitrant State have shown an ability to spot legal defenses and argue them convincingly and in general to carry on shrewd delaying tactics.

Another important element is said to be the unco-operative attitude of some United States Attorneys in southern areas. These prosecutors, while they are part of the Justice Department, are "local boys" brought up in the outhern tradition and sensitive to the social pressures of friends and neighbors who are opposed to extension of Federal power in the racial fields.

"We have to live with these folks" is a phrase often used to explain an apparent lack of zeal. Federal judges, too, have been subjected to pressures, including social ostracism, for their role in race cases.

Lost Two Cases

The Justice Department lost out in the two cases it actually took to court under the Civil Rights Act.

Under the terms of the act the Attorney General is empowered to seek court injunctions forbidding "any person" to interfere with the voting rights of another.

Seven months ago the Government filed its first such suit.

The complaint alleged that Negroes in Terrell County, Ga., were being discriminated against by vote registrars. After a series of delays the Government asked that the case be expedited. This motion was refused by Federal Judge Hoyt Davis.

It wasn't until last week that the issues were finally resolved. Judge Davis threw out the Government's complaint on the ground that the injunctive section of the act is unconstitutional as an improper infringement on States right.

His grounds for doing so appeared to run counter to the accepted legal doctrine that an act of Congress must be construed, if at all possible, in such a way as to avoid upsetting it. This is in deference to the doctrine that courts should avoid reversing an action by the legislative branch which is co-equal under the scheme of the separation of powers.

Agents of State

The Government had filed suit against vote registrars as agents of the State. This, it is agreed, was proper. But Judge Davis went beyond this immediate issue and construed the Civil Rights Act as giving the Federal Attorney General powers to move against "any person," not only agents of the State. Such power, although it was not exercised in the case before him, is unconstitutional, the jurist held, since the Fifteenth Amendment, in pursuance of which the act was passed, is aimed solely at State actions and not at private individuals.

Earlier another suit by the Government concerning alleged voting violations in Macon County, Ala., and naming the State of Alabama as a defendant, was dismissed by Federal Judge Frank M. Johnson. He found no faults with the constitutionality of the act but he cited the word "persons" in the measure and held that the State is not a "person" and hence could not be a defendant. Registrars named in the suit were not proper parties either, he said, because they had resigned their office.

New Rule On Voting Under Fire

WASHINGTON — (UPI) — The Justice Department plans to appeal directly to the Supreme Court a ruling by a federal judge that a key section of the 1957 Civil Rights Act is unconstitutional, assistant attorney general W. Wilson White said.

White, chief of the department's Civil Rights division, said the department will by-pass the appeals circuit because the issue involves the validity of an act of Congress.

White said that Solicitor General J. Lee Rankin had told him arguments cannot be held before the Supreme Court on the appeal before next fall.

MAY FILE MOVE

White said that the Justice Department may file new civil rights suits "within the near future," despite last week's ruling by federal judge to Hoyt Davis at Macon, Ga.

"We are going to adopt a business as usual policy here" despite the ruling, White said.

Davis struck down provisions of the Civil Rights Act which permit the federal government to seek injunctions on behalf of Negroes allegedly deprived of voting rights. This is one of the most important sections of the civil rights law.

STATES' RIGHTS

The ruling involved the department's first civil rights suit under the new law. It charged that county board of registrars of Terrell County, Georgia discriminated against potential Negro voters.

Davis held that although the suit was aimed at official actions of the board of registrars the Act's injunction clause—under which the suit was brought— constituted a violation of state's rights since it would also provide for suits to restrain private individual action.

Civil Rights Commission Says:

Third of CRC's Vote Complaints From Alabama

WASHINGTON (ANP)—More than one-third of the voting complaints filed with the Civil Rights Commission have come from Alabama, according to testimony released by the House Appropriations Subcommittee.

From the time the Commission was founded in the fall of 1957 through April 30, this year some 310 voting complaints were filed, 119 of which came from Alabama.

Complaints coming from other states were as follows: Louisiana 95, Mississippi 41, Florida 14, Tennessee 7, Arkansas 6, South Carolina, 3, and two each from Illinois, Indiana, Missouri, North Carolina, Pennsylvania, Virginia and Wisconsin, and one from each of the following states: Georgia, Kansas, Kentucky, Maryland, Massachusetts, Nebraska, New Jersey, New York, Oklahoma, Texas, and West Virginia.

Of the total 922 complaints which the Commission spokesman reported, 310 dealt with voting and 114 were illegible, anonymous or abusive. Most of the voting complaints came from the South while most of those from the North were concerned with housing.

The Commission representative appeared before the Appropriation Committee seeking an additional $228,000 to tide the work of the Commission over to Nov. 8. If the life of the Commission is extended beyond that date they would request a supplemental appropriation of $500,000.

Butler offers new convention voting system

BY D. HAROLD OLIVER

WASHINGTON, Sept. 12 —(AP)—A new plan for allocating votes in the 1960 Democratic National Convention was advanced Saturday by Paul M. Butler, National Committee chairman.

The plan would scrap a complicated bonus system in use since 1944. Butler termed that system not fair or equitable.

Butler will seek adoption of his new plan at a meeting of the committee here next Wednesday, along with another resolution dealing with the good faith of delegates. Fights loom over both issues.

BUTLER HAS mailed copies of his delegate apportionment plan to committee members. Under it, the 1960 convention would have 1475 votes as compared with 1372 in 1956; a possible 2950 delegates as against 2744 in 1956, and 1475 alternates compared with 1896 in the last convention.

Thirty-two states and territories would gain votes over their 1956 allocation; 15 states, including Arkansas, Florida and Tennessee, would lose votes. Seven states would have the same number as in 1956.

Butler proposed that each state get three votes for each U. S. Senator, instead of the basic two as before; two and a half votes for each House member instead of two, and one-half vote for each of its two national committee members who would be ex-officio delegates.

WHEREVER THIS distribution resulted in a fractional vote for any state, the next highest number would be used. For example, Alabama's allotment comes to a mathematical 29½ votes but it would get 30 votes (as against 28 in the 1956 convention).

Butler noted that the bonus system gave states bonus delegates at the 1956 convention for their presidential vote in 1948.

In all congressional elections—

Bill provides commission to insure Negro voting

WASHINGTON, Aug. 13—(AP)—Sen. Philip A. Hart (D., Mich.) today proposed a federal commission to conduct congressional elections where Negroes are likely to be denied voting rights.

Under his bill, the commission would determine whether the right to vote was likely to be denied.

"The time has come for the Congress to face its responsibility and exercise its authority to regulate the election of its own members," he added.

HART SAID because his measure was a wholly new approach he did not intend to press for immediate Senate action on it, "urgent as it may seem."

"It is my hope," he said, "that it will receive the kind of study and discussion that will lead us to the best possible solution of an old, but not forgotten, problem."

The commission he proposed would have three members appointed by the president with the approval of the Senate. It would be an arm of Congress.

Hart said that hearings of the U. S. Civil Rights Commission "reveal a shocking illustration of the need for congressional action."

AS AN EXAMPLE, he cited what he called uncontested testimony in Bullock County, Ala., with a Negro population of 11,000, only four Negroes were registered as voters.

The proposed commission could make and maintain registers of voters qualified to participate in primary, special or general elections for the Senate or the House.

Eastland Seen Handing GOP Big Negro Voter Increase

By VICTOR CALVERTON

WASHINGTON — (ANP) — The defiant attitude of southern members of the Senate led by Sen. James O. Eastland over any worth while civil rights bill is calculated to drive more Negro voters into the GOP camp, some observers are saying. Eastland is chairman of the Senate Judiciary committee that has had all civil rights legislation proposals hopelessly bottled up in the committee.

It is possible, with a sizeable increase in the Negro vote by the November general election next year, that the Republican party can win enough Negro votes to keep a GOP president in the White House. And the stubborn and orthodox views of southerners in Congress over civil rights legislation and other issues vital to the interest of American Negroes will play right into the hands of the Republicans.

Negro voting has undergone a shift locally, statewide and nationally, since the storm broke against school desegregation. The division on the local and state level among candidates running for office has given Negro voters a better choice of candidates than they have ever had under the old Solid South.

The controversy over school desegregation in the South has provided an issue for the development of a right and left wing in the Democratic party. In a sense, it is like the birth of a new party. The moderates in the Democratic party can count on the support of Negro voters at the local and state level. Similarly, the Republicans can count in the immediate future at least on the support of Negro voters for President and Vice President.

The emergence of a moderate wing in the Democratic party in the South may develop into a permanent movement giving Negro and liberal white voters in the South an opportunity they have longed for over 20 years. The extreme position and the extreme action of dyed-in-the-wool segregationists made this development possible. At last in Virginia, for example, Negro voters have a few political office seekers on the local or state level that they can support at the polls.

The antics of southern Congressmen against civil rights will drive Negro voters in every southern state from the Democratic party. Already Negro voters are lining up with progressive whites in support of Democratic candidates who refuse to bow to machine politics. And since some candidates are emerging in the South today against the machine, the Negro voters have a choice at the polls.

Negro Voting Is Being Slowed

A report in *New South*, published by the Southern Regional Council in Atlanta, has come up with a look-see at what has been happening to Negro registration in the South. Figures are interesting and probably of significance.

The report states flatly that resistance to Negro registration has been increased because of the push for school desegregation. It says that "Negroes in parts of the South now feel they run a greater risk in trying to register than at any time since the outlawing of the white primary in 1944."

There have been some purges from eligible lists in Louisiana and *New South* says that in some areas Negroes were subject to threats and so on when attempting to register. This in our view has been rare. The council says that Negro voter influence has been reduced in importance as "racists" sought to make support by Negroes a liability at the polls. In brief, this is stating the obvious—that candidates in the South, if they hope to be elected, are not going to woo the Negro bloc vote.

Negro voting for a particular candidate clearly can do the candidate more harm than good. This the council recognizes.

In the long run, however, the council says that there should be a steady increase in Negro voting. We suspect that this is correct, especially in non-Deep South states of the region; indeed, this is already apparent in some figures. But it is noteworthy that in five states the number of Negro voters as of last year had diminished over the number in 1956. These states are Florida, Arkansas, Georgia, Louisiana and South Carolina. Alabama is said to have had a registered total of 70,000 Negroes in 1958 as against 53,366 in 1956.

The council finds a trend of Negroes to the cities where registration is somewhat easier than in rural areas. It concedes that the greatest difficulty faced by Negro applicants is in Deep South counties where Negroes greatly outnumber whites. All of this, of course, we have known hereabouts.

It continues our view that Negro would-be registrants are going to be scrutinized very closely in the Deep South. It is also our view that no absolute bar, open or subtle, against registering Negroes in the long run will succeed. But it seems obvious, further, that a great many Negroes in the South still are poorly qualified to vote. Indeed, honesty compels admission that there are whites who show poor capacity for intelligent voting.

What is inherent in all this is a firm necessity not to open the doors to the polling places indiscriminately. A concept of a republic which allowed virtually any and everybody to vote could be a dangerous concept.

This of course brings you to an issue of qualification. Whatever is thought in Washington it will remain fundamentally true, and not only in the South, that those best qualified to determine who is capable of voting with reasonable knowledge are those living among applicants. Negroes are going to continue to have to battle for the ballot harder than whites. That is because Southern whites are not yet convinced that Negroes will not vote as a bloc, that they will not try to capture some local or county governments, and because whites still believe, despite rising educational standards, that many Negroes are not yet politically mature. This is not, of course, to stamp the entire race in the region. But to deny these beliefs some basis is to ignore realities.

New Negro Vote Action Is Pending

WASHINGTON, Oct. 17 (UPI)—Joseph M. F. Ryan, acting chief of the Justice Department's civil rights division, said today the government will soon file a new suit in an unnamed Southern state in support of Negro voting rights.

He said it will be brought within a few weeks but would not say where. Meantime, he said, he has not yet received a request from the Civil Rights Commission to rush a Supreme Court appeal of a Louisiana federal court's decision that the commission's hearing procedures on Negro voting rights are unconstitutional.

He said he had written to commission Chairman John A. Hannah requesting instructions. But he said he is certain there will be an early appeal. Hannah said the request has been made.

Acting Chief

Ryan has been acting chief of the division since W. Wilson White resigned Oct. 3. He defended the division's record in prosecuting the voting cases. He said critics, including some commission members, apparently did not grasp the legal complexities involved.

The commission said in a recent report to President Eisenhower that not a single Negro had been enabled to vote as a result of the division's actions. A leading member of the commission, former Virginia Gov. John S. Battle, has resigned.

The commission met last Wednesday for the first time since it received a new two-year lease on life from Congress. Hannah announced afterwards that it would hold no more hearings on voting records until the Louisiana case was settled.

Ryan said that the three cases brought by the division, two of which are awaiting consideration by the Supreme Court, take up most of the important legal questions that have arisen under the 1957 Civil Rights Act.

'Round Out' Position

He said the new suit, dealing directly with Negro voting rights, would round out the government's position.

"I can't anticipate any other problems under the act," he added. "We then will have the legal bugs ironed out."

One of the cases before the Supreme Court, originating in Georgia, broadly tests the constitutionality of the Civil Rights Act. Ryan said he hoped the court would hear arguments before the end of the year and rule on it before spring.

The other case before the court deals with the question of who should be held principally responsible for denials of voting privileges. The government argues that the state, not the voting registrars, is responsible.

This case originated in Alabama where the government claims the registrars blocked Negro voting then resigned to avoid responsibility.

In all congressional elections—

Bill provides commission to insure Negro voting

WASHINGTON, Aug. 13—(AP)—Sen. Philip A. Hart (D., Mich.) today proposed a federal commission to conduct congressional elections when Negroes are likely to be denied voting rights.

Under his bill, the commission would determine whether the right to vote was likely to be denied.

"The time has come for the Congress to face its responsibility and exercise its authority to regulate the election of its own members," he added.

HART SAID because his measure was a wholly new approach he did not intend to press for immediate Senate action on it, "urgent as it may seem."

"It is my hope," he said, "that it will receive the kind of study and discussion that will lead us to the best possible solution of an old, but not forgotten, problem."

The commission he proposed would have three members appointed by the president with the approval of the Senate. It would be an arm of Congress.

Hart said that hearings of the U. S. Civil Rights Commission "reveal a shocking illustration of the need for congressional action."

AS AN EXAMPLE, he cited what he called uncontested testimony in Bullock County, Ala., with a Negro population of 11,000, only four Negroes were registered as voters.

The proposed commission could make and maintain registers of voters qualified to participate in primary, special or general elections for the Senate or the House.

Eastland Seen Handing GOP Big Negro Voter Increase

By VICTOR CALVERTON

WASHINGTON — (ANP) — The defiant attitude of southern members of the Senate led by Sen. James O. Eastland over any worthwhile civil rights bill is calculated to drive more Negro voters into the GOP camp, some observers are saying. Eastland is chairman of the Senate Judiciary committee that has had all civil rights legislation proposals hopelessly bottled up in the committee.

It is possible, with a sizeable increase in the Negro vote by the November general election next year, that the Republican party can win enough Negro votes to keep a GOP president in the White House. And the stubborn and orthodox views of southerners in Congress over civil rights legislation and other issues vital to the interest of American Negroes will play right into the hands of the Republicans.

Negro voting has undergone a shift locally, statewide and nationally, since the storm broke against school desegregation. The division on the local and state level among candidates running for office has given Negro voters a better choice of candidates than they have ever had under the old Solid South.

The controversy over school desegregation in the South has provided an issue for the development of a right and left wing in the Democratic party. In a sense, it is like the birth of a new party. The moderates in the Democratic party can count on the support of Negro voters at the local and state level. Similarly, the Republicans can count in the immediate future at least on the support of Negro voters for President and Vice President.

The emergence of a moderate wing in the Democratic party in the South may develop into a permanent movement giving Negro and liberal white voters in the South an opportunity they have longed for over 20 years. The extreme position and the extreme action of dyed-in-the-wool segregationists made this development possible. At last in Virginia, for example, Negro voters have a few political office seekers on the local or state level that they can support at the polls.

The antics of southern Congressmen against civil rights will drive Negro voters in every southern state from the Democratic party. Already Negro voters are lining up with progressive whites in support of Democratic candidates who refuse to bow to machine politics. And since some candidates are emerging in the South today against the machine, the Negro voters have a choice at the polls.

Negro Voting Is Being Slowed

A report in *New South*, published by the Southern Regional Council in Atlanta, has come up with a look-see at what has been happening to Negro registration in the South. Figures are interesting and probably of significance.

The report states flatly that resistance to Negro registration has been increased because of the push for school desegregation. It says that "Negroes in parts of the South now feel they run a greater risk in trying to register than at any time since the outlawing of the white primary in 1944."

There have been some purges from eligible lists in Louisiana and *New South* says that in some areas Negroes were subject to threats and so on when attempting to register. This in our view has been rare. The council says that Negro voter influence has been reduced in importance as "racists" sought to make support by Negroes a liability at the polls. In brief, this is stating the obvious—that candidates in the South, if they hope to be elected, are not going to woo the Negro bloc vote.

Negro voting for a particular candidate clearly can do the candidate more harm than good. This the council recognizes.

In the long run, however, the council says that there should be a steady increase in Negro voting. We suspect that this is correct, especially in non-Deep South states of the region; indeed, this is already apparent in some figures. But it is noteworthy that in five states the number of Negro voters as of last year had diminished over the number in 1956. These states are Florida, Arkansas, Georgia, Louisiana and South Carolina. Alabama is said to have had a registered total of 70,000 Negroes in 1958 as against 53,366 in 1956.

The council finds a trend of Negroes to the cities where registration is somewhat easier than in rural areas. It concedes that the greatest difficulty faced by Negro applicants is in Deep South counties where Negroes greatly outnumber whites. All of this, of course, we have known hereabouts.

It continues our view that Negro would-be registrants are going to be scrutinized very closely in the Deep South. It is also our view that no absolute bar, open or subtle, against registering Negroes in the long run will succeed. But it seems obvious, further, that a great many Negroes in the South still are poorly qualified to vote. Indeed, honesty compels admission that there are whites who show poor capacity for intelligent voting.

What is inherent in all this is a firm necessity not to open the doors to the polling places indiscriminately. A concept of a republic which allowed virtually any and everybody to vote could be a dangerous concept.

This of course brings you to an issue of qualification. Whatever is thought in Washington it will remain fundamentally true, and not only in the South, that those best qualified to determine who is capable of voting with reasonable knowledge are those living among applicants. Negroes are going to continue to have to battle for the ballot harder than whites. That is because Southern whites are not yet convinced that Negroes will not vote as a bloc, that they will not try to capture some local or county governments, and because whites still believe, despite rising educational standards, that many Negroes are not yet politically mature. This is not, of course, to stamp the entire race in the region. But to deny these beliefs some basis is to ignore realities.

New Negro Vote Action Is Pending

WASHINGTON, Oct. 17 (UPI)—Joseph M. F. Ryan, acting chief of the Justice Department's civil rights division, said today the government will soon file a new suit in an unnamed Southern state in support of Negro voting rights.

He said it will be brought within a few weeks but would not say where. Meantime, he said, he has not yet received a request from the Civil Rights Commission to rush a Supreme Court appeal of a Louisiana federal court's decision that the commission's hearing procedures on Negro voting rights are unconstitutional.

He said he had written to commission Chairman John A. Hannah requesting instructions. But he said he is certain there will be an early appeal. Hannah said the request has been made.

Acting Chief

Ryan has been acting chief of the division since W. Wilson White resigned Oct. 3. He defended the division's record in prosecuting the voting cases. He said critics, including some commission members, apparently did not grasp the legal complexities involved.

The commission said in a recent report to President Eisenhower that not a single Negro had been enabled to vote as a result of the division's actions. A leading member of the commission, former Virginia Gov. John S. Battle, has resigned.

The commission met last Wednesday for the first time since it received a new two-year lease on life from Congress. Hannah announced afterwards that it would hold no more hearings on voting records until the Louisiana case was settled.

Ryan said that the three cases brought by the division, two of which are awaiting consideration by the Supreme Court, take up most of the important legal questions that have arisen under the 1957 Civil Rights Act.

'Round Out' Position

He said the new suit, dealing directly with Negro voting rights, would round out the government's position. "I can't anticipate any other problems under the act," he added. "We then will have all the legal bugs ironed out."

The government argues that the state, not the voting registrars, is responsible. This case originated in Alabama where the government claims the registrars blocked Negro voting privileges. The Civil Rights Act said he hoped he would be resigned to avoid responsibility.

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CIVIL RIGHTS COMMISSION
FEDERAL VOTE REGISTRARS

Civil Rights Com. Asks For Federal Vote Registrars

Federal Officials Would Register Voters Until Local Official Can Act Without Any Discrimination

WASHINGTON — The commission on Civil Rights in its first report, is proposing federal registrars to administer state registration laws "until local officials are prepared to register voters without discrimination."

Three of the six commissioners also proposed a 23rd Amendment to the U. S. Constitution striking down all restrictions to vote registration except age, residence, and U. S. citizenship.

All six commissioners joined in recommending federal action to require preservation of all registration and voting records by states and territories for five years, with the records subject to public inspection during the period if proper precautions are taken to preserve secrecy of the ballot.

The report was based on commission studies and investigations since January, 1958, covering discrimination in voting, education and housing.

The law creating the commission specifically directed it to probe alleged denial of voting rights, authorized the other studies but did not direct that they be made.

The commission, under the 1957 law creating it, will go out of business in November unless Congress takes action before then extending its life.

The commission conducted hearings and court actions in Alabama and investigated complaints from New York, Louisiana, Tennessee, North Carolina, Florida, and Oklahoma.

An attempt to conduct a hearing in Louisiana resulted in a court test by Louisiana Atty. Gen. Jack Gremillion challenging constitutionality of the statute creating the commission.

The report said: "Against the prejudice of registrars and jurors, the U. S. government appears, under present law, to be helpless to make good the guarantees of the U. S. Constitution."

Despite action in federal courts by the attorney general, the commission said, no single person has registered as a result of action taken under the 1957 Civil Rights Act.

"Some method must be found by which a federal officer is empowered to register voters for federal elections who are qualified under state registration laws but are otherwise unable to register," the report said.

"Such a temporary federal registrar should serve only until local officials are prepared to register voters without discrimination," it added.

The commission laid down procedure whereby petitions would be filed and investigations made by its staff, with the President finally naming the federal registrar if it is found voting rights are being denied.

The commissioners are: Chairman John A. Hannah, president of Michigan State University; Vice Chairman Robert G. Storey, dean of the Southern Methodist University Law School; John S. Battle, former governor of Virginia; Doyle E. Carlton, former governor of Florida; the Rev. Theodore M. Hesburgh, president of Notre Dame University; and George M. Johnson, the Negro member who is a former dean of the Howard University Law School.

ELLENDER RIPS REGISTRAR AIM

Says It Might Perpetuate a President in Office

WASHINGTON (AP) — A civil rights commission proposal was viewed Sunday night as a potential vehicle to keep a President in office forever by appointing federal voting registrars.

Sen. Allen J. Ellender (D-La.) said this is conceivable, and also that the commission seeks "to cram down the throats of all private citizens a strong dose of federal power and federal control."

Speaking on a program for radio station WWL, New Orleans, Ellender teed off on the commission's report on alleged racial discriminations.

". . . The commission is clearly revealed," he said "as an anti-Southern, anti-states rights body, more interested in making newspaper headlines among the so-called liberal newspapers and magazines of the North than in trying to solve any of the race problems which exist in this country.

". . . The only purpose of the commission," Ellender declared, "is to harass the South and Southern officials."

Ellender said a recommendation for federal voter registrars in the states "is by far the worst.

". . . If the commission," he said, "acting on its own recommendation with no review or appeal possible, says there is discrimination in voting registration, then the local registrar of voters would be supplanted by a presidential appointee.

"In other words, if the President and civil rights commission were agreeable, they could go into Louisiana and appoint 64 federal registrars for the next presidential election.

"It is conceivable that if the two-term presidential limitation were repealed, a president could keep himself in office forever, merely by naming his own registrars of voters all over this nation."

Negro Group Asks President To Poll Southern Negroes

Daily Home Dallas Log, Ala.
Wed. 5-2-59

BIRMINGHAM (AP) — A Negro group that claims 5,000 members in Alabama today asked President Eisenhower to initiate a poll of Southern Negroes to determine whether they want forced integration.

Samuel H. Moore of Birmingham, president of the Southern Negro Improvement Assn. of Alabama, said he sent President Eisenhower a telegram stating that most Southern Negroes prefer segregation.

He urged the President "not to use force to integrate the schools and deny our race a major symbol of our progress—all-Negro schools."

Moore said:

"I assure you that both races in the South are unalterably opposed to the integration of races in public schools.

"Racial hate and racial prejudice that was dead is now reconstructed. Threat of forceful integration has created fear and hate in many of our former white friends."

Moore said he put these questions to the President in his telegram:

"Since this is free America, why not put your racial policy upon voluntary action of the citizens, not forceful compulsion? Why not have the government take a poll of the majority of the Southern Negroes?"

He specified that the poll should be confined to Southern Negroes because "Our Northern Negro brothers . . . do not live in the South and therefore do not understand our Southern bicultural society."

KING SOUNDS CRY

Bus Boycott Group To Attack Schools

Jackson Daily News
Jackson, Miss.
8-31-59

United Press International

A Negro organization that won a much publicized bus boycott at Montgomery, Ala., today opened a new drive to integrate classrooms.

The Rev. Martin Luther King Jr., president of the Montgomery Improvement Assn., said this third year since the court victory over bus segregation in Montgomery has become the target year for classroom integration.

The association, which attracted world attention to its fight for bus integration by boycotting the city buses for a year, sent out letters asking school board members to make a "reasonable start" this fall.

This made Alabama the fifth southern state to become the site of current integration drives as the fall school term openings neared. The other states were Virginia, North and South Carolina, and Florida.

BEGIN FIRST FULL TERM

Virginia, where massive resistance to integration was the political watchword, begins its first full term of integrated classrooms Tuesday in five cities.

They are Norfolk, Alexandria, Arlington, Charlottesville and Front Royal.

In North Carolina, 10-year-old Stanley Vickers plans to ask the Chapel Hill School Board tonight to reverse itself and admit him to a white school, making the college town the eighth in the state to lower its racial barriers.

South Carolina's Clarendon County, scene of a five-year-old desegregation suit, received requests of several Negroes for transfers to white schools.

PLAN TO ADMIT NEGROES

A Miami school in a "changing neighborhood"—one whose population was becoming predominantly Negro for the first time — planned to admit Negroes for the first time. It was expected, however, that by opening day all white students would be transferred to other schools.

Tennessee's "stairstep" integration of schools at Nashville was being extended to the third grade.

Gov. John Patterson of Alabama said an integration attempt in his state would mean "chaos and violence."

Alabama schools are operated under a pupil placement law that has been upheld as "constitutional on its face" by the Supreme Court.

Patterson has asked the Legislature to grant him power to close any school that is integrated or threatened with integration.

Ike Supports Plan Giving Vote to D. C.

Post
Washington, D.C.
Thurs. 5-10-59

Letter Revealed At Senate Hearing On Amendment

By Eve Edstrom
Staff Reporter

President Eisenhower yesterday joined supporters of a proposed constitutional amendment to provide District residents with a vote in Federal elections and representation in the House.

The President's views were forwarded to the Senate Judiciary Subcommittee on Constitutional Amendment, which conducted a hearing on the measure.

In a leter to the subcommittee chairman Sen. Estes Kefauver (D-Tenn.), David W. Kendall, special counsel to the President, noted that the 1956 Republican platform favored self-government, national suffrage and congressional representation for the District. These aims continue to be "strongly supported by the President," Kendall wrote.

Home Rule Views Recalled

Similarly and repeatedly in the past, the President has voiced strong support of the territorial home rule bill which would give the District an appointed governor, an elected legislature and a non-voting delegate in the House. Self-government legislation has passed the Senate and is tied up in the House District Committee.

At the outset of yesterday's hearing, Kefauver emphasized that the national representation proposal has "nothing to do with home rule," that it is "not a substitute for home rule," that he and others will continue to work for home rule measures such as passed the Senate this session.

Ike Supports Plan Giving Vote to D. C.

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proval next year. The most that could be hoped for this year is for the resolution to be reported favorably by his subcommittee.

One of the measure's authors, Sen. Kenneth B. Keating (R-N. Y.) testified that "my only substantial question about this resolution is whether it goes far enough." It has been suggested, he said, that the District have representation in the Senate as well as the House.

Emphasizing the need to be practical, however, he said the proposed measure providing representation only in the House has the best chance of winning approval of the necessary two thirds of the House and Senate and ratification by three fourths of the states.

If the subcommittee prefers to include Senate representation, however, Keating said he would support the resolution.

He also said he would not object to basing the number of District delegates to the House on the rules of apportionment established for the states. That method probably would give the District two delegates instead of the three now proposed.

Voting Powers Urged

The District's representatives would have such powers as Congress determined. Keating said he hoped they would have full voting rights.

District Commissioner Robert E. McLaughlin declared that the measure should state explicitly that the District's delegates would have voting rights so as to preclude any possible future claim that Congress lacked power to confer such rights.

He further asserted the resolution falls short of an important objective in not providing Senate representation, though "I naturally favor it" as a great step forward, he said

McLaugh in stressed that the Commissioners still urged enactment of the territorial home rule bill.

Sturgis Warner, a leading home rule advocate here, cautioned that the resolution may run aground in the House because of its failure to provide Senate representation. If a workable compromise cannot be reached on this point, he urged the resolution be confined solely to providing District residents with a vote in Presidential elections.

Wording Change Urged

Benjamin M. McKelway, editor of the Evening Star, suggested the resolution be changed to permit delegates in Congress "rather than placing them in the House alone, thus closing the door to any future possibility" that Congress might see ift to seat a delegate in the Senate.

Others submitting statements or testifying for the resolutions included Sen. Francis Case (R-S. D.) and Sen. J. Glenn Beall (R-Md.), who joined Keating in sponsoring the measure, Sen. Jennings Randolph (D-W. Va.) and Sen. William Langer (R-N. D.).

Among community spokesmen supporting the proposal were representatives of the Board of Trade, Junior Chamber of Commerce, D. C. Bar Association, Democratic Central Committee, Federation of Citizens Associations, General Federation of Women's Clubs and the League of Women Voters.

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GENERAL

U.S. Wants Cases On Voting Bars

WASHINGTON — (UPI) — Attorney General William P. Rogers this week urged Negroes and others who have been blocked from voting to try again so the government can pile up evidence of civil rights violations.

He told a news conference all such persons should make a determined effort to exercise their voting rights. He said the Justice Department could make out a better case if they are again turned away from the polls on racial grounds.

NOT MANY CASES

Rogers said the department had not received as many voting rights complaints as it had anticipated. It now has under review 12 cases of alleged racial discrimination concerning the right of Negroes to register and vote.

The attorney general said a new complaint will be filed within a week similar to one against registrars in Terrell County, Ga. He declined to give details, except to say that the new case was not in Georgia.

Rogers also announced that a federal grand jury would convene at Birmingham, Ala., during the week of Feb. 16, to investigate possible federal violations in connection with the arrest of three Montgomery, Ala., ministers on vagrancy charges last Sept. 27.

Rogers said last November he would seek a grand jury inquiry because Eugene Connor, public safety commissioner of Birmingham, had refused to turn over to the FBI information concering the arrests.

Rogers made public last week a letter from the Justice Department to Federal Judge Seybourn H. Lynne, asking him to call an Alabama panel into session as soon as possible.

Rogers also made public Lynne's reply explaining that convening a grand jury would not be feasible until Feb. 16.

VAGRANCY CHARGES

The Negro ministers, Rev. E. S. Seay, A. W. Wilson and H. H. Hubbard, were arrested on vagrancy charges when they went to visit a Birmingham minister, Rev. F. L. Shuttlesworth, who sparked the Negro bus boycott in that city.

Rogers said the Eisenhower administration would submit to Congress within the next two weeks its proposals for new civil rights legislation. He declined to say at this time whether there would be any bill dealing with school integration.

LASTING FIGHT OF NEGRO HOPED

Should Keep Trying to Register—Rogers

WASHINGTON (AP)—Atty. Gen. Rogers has expressed hope that Negro citizens will keep trying to register and vote even if previously unsuccessful.

He said that it is his hope for every American eligible to participate in elections.

Rogers told a news conference some persons who have been turned away in the past are "reluctant to try again," and added: "I hope that Negro eligibles will get over this."

In response to a question, the attorney general said the administration's new civil rights proposals to Congress will include a request that the Justice Department be given direct subpoena powers in connection with voting investigations.

Rogers declined to say anything else about the program except that it will go to Congress in about two weeks.

President Eisenhower has said Congress should extend the life of the new Civil Rights Commission, now due to expire next September.

In explanation of the subpoena proposal, Rogers said the department now can get needed records by going through a grand jury. But he said this implies a criminal prosecution, and that the department would prefer to use civil procedure.

Try To Register Again, Hampered Citizens Urged

34e Journal

Attempts Would Pile Up More Rights Evidence

By HELEN THOMAS

WASHINGTON — (UPI) — Attorney General William P. Rogers Thursday urged Negroes and others who have been blocked from voting to try again so the government can pile up evidence of civil rights violations.

He told a news conference all such persons should make a determined effort to exercise their voting rights. He said the Justice Department could make out a better case if they are again turned away from the polls on racial grounds.

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GRAND JURY TO CONVENE

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WOULD SUBMIT PROPOSALS

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ATTORNEY GENERAL WILLIAM P. ROGERS

time whether there would be any bill dealing with school integration.

He said only that the problem was "under consideration" and that he wanted to wait until after he studied two court decisions expected next week in connection with Virginia's "massive resistance" laws against school integration.

He also said it was necessary for President Eisenhower's budget and certain other presidential messages to be presented to Congress first.

The President said Wednesday "we must be very careful" about enacting any laws dealing directly with school integration. He said a guarantee of voting rights was the first step toward solving the racial problem.

But Sen. Paul H. Douglas (D., Ill.) said he and a bipartisan group of colleagues would offer legislation to advance school integration. A Douglas civil rights bill was pigeon-holed last year by the Senate Judiciary Committee headed by Sen. James O. Eastland (D., Miss.).

'Keep Trying To Register,

Complain to D. C. if refused

WASHINGTON

Colored southerners must be persistent in trying to register and vote, Attorney General William P. Rogers declared Friday at a press conference.

He also told newsmen that the Department of Justice has run into difficulties in attempting to act under the provisions of the 1957 Civil Rights Act.

The first difficulty, he said, has been the fewer number of complaints than expected, and the other is the difficulty investigators have in getting to see records.

He noted that the Civil Rights Commission has the power to subpoena, while the Department of Justice doesn't.

* * *

IF A PERSON is denied the right to vote solely because of color, and he complains to the Department, Attorney General Rogers said that his department can then act.

He said that his lawyers were able to see records in Georgia mainly because voting records, by law, are open to public inspection.

The Attorney General said that his department will file its second suit in the South this week. He would not disclose the exact place, but it is believed that it would be in Macon County.

Both the Justice Department and the Civil Rights Commission have received numerous complaints from Macon County, the home of famous Tuskegee Institute.

* * *

AT THE RECENT Civil Rights hearings in Montgomery, some 24 physicians, teachers, nurses and other colored professional people testified that they were denied the right to register and vote.

Meanwhile, the Civil Rights Commission's examination of voting records in Alabama has come up with information supporting complaints by colored persons that they were denied the ballot.

For the past two weeks, Civil Rights Commission investigators have been studying the voting records of Bullock and Barbour Counties.

Staff members would not comment on their findings, saying all information would have to come from the Commission.

Staff members did say, however, that the records produced "helpful information" with respect to what they were looking for.

* * *

IN OTHER developments at the press conference, Mr. Rogers hinted that the Justice Department will ask Congress for legislation which will give the department subpoena power to force local authorities to open up voting records to its investigators.

He also indicated that his Department would oppose bills which would make bombing of public buildings a Federal crime.

Mr. Rogers explained that he "Questions the wisdom" of taking jurisdiction away from communities where the case must be tried. He favors, he said, giving the FBI full investigative powers instead.

* * *

HE ALSO hinted that the Government will push for laws which will give it the power to knock down state resistanie to desegregation.

The Government's program, however, is being withheld until Virginia school cases have been decided this week.

Rogers Urges South's Negroes To Keep Trying to Register

By Richard L. Lyons
Staff Reporter

Attorney General William P. Rogers yesterday urged Negroes in the South to try and try again to register to vote.

This is the only way they can assert their right to vote and the only way the Justice Department can help them if they are turned down, Rogers said.

He told a press conference that Justice has encountered two "difficulties" in carrying out the right-to-vote provisions of the 1957 Civil Right Act. One has been fewer complaints than expected; the other, difficulty in getting to see local voting records.

The Justice Department can seek a Federal court order to force registration of a person who has been turned down solely because of race. But it can act only on a showing that rights have been violated, said Rogers.

He suggested that some Negroes turned down in the past might be reluctant to try again. He urged them to do so and, in effect, invited complaints if they failed. Hearings of the Civil Rights Commission in Alabama last month produced testimony that in at least one heavily-Negro county no Negro was registered and none had applied recently because of past failures and reprisals.

Lacks Subpoena Power

Justice Department lawyers have had trouble seeing voting records in most parts of the South because the Department lacks the power of subpoena. Only in Georgia where voting records by law are open to public inspection has the Department been able to thoroughly check every complaint, a Department official said. The Government brought its first suit in Georgia. Rogers said a second will be filed in a few days in another southern state.

Rogers indicated that he will ask for legislation giving the Justice Department subpoena power to force local officials to open up their records. The Civil Rights Commission has subpoena power and after a struggle used it to look at Alabama registration records this week.

Aside from the subpoena power, Rogers refused to discuss the Administration's civil rights legislative program which is expected to be sent to Congress soon. He gave a strong hint that high on the "active consideration" list is a bill to let the Government move in to help knock down state legal barriers to school desegregation. He said the Department's program would be held up until the Virginia school cases are decided next week.

Ruling Due Monday

On Monday, Virginia's supreme court is scheduled to rule on the constitutionality of the state's package of massive resistance laws—including school closing, cutting off state aid and private tuition grants. That same day a three-judge Federal court in Norfolk is expected to rule on the school-closing law.

Rogers indicated he will oppose bills that have been introduced in Congress to make bombings of schools, churches and other public buildings a Federal crime. He said, as he has before, that he favors letting the FBI give full investigative help to communities. But he added that he would "question the wisdom" of taking jurisdiction away from the community where the case must be tried.

Rogers Urges Negroes Barred From Voting to Make New Try

WASHINGTON, Jan. 15 (UPI)—Atty. Gen. William P. Rogers today urged Negroes and others who have been kept from voting to try again so the government can set evidence of civil rights violations.

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Rogers told a news conference some persons who have been turned away in the past are "reluctant to try again," and added: "I hope that Negro eligibles will get over this."

In response to a question, the attorney general said the administration's new civil rights proposals to Congress will include a request that the Justice Department be given direct subpoena powers in connection with voting investigations.

Rogers declined to say anything else about the program except that it will go to Congress in about two weeks.

President Eisenhower has said Congress should extend the life of the new Civil Rights Commission, now due to expire next September.

In explanation of the subpoena proposal, Rogers said the department now can get needed records by going through a grand jury. But he said this implies a criminal prosecution, and that the department would pefer to use civi procedure.

Sen. Russell Supports Talmadge in Appeal For New Unit System

Insiders Knew It Was Near

By BRUCE GALPHIN

Sen. Talmadge's county unit statement was surprising to those on the "inside" in state politics only in its timing.

It is clear from confidential talks with some key political figures that county unit reapportionment has been under discussion at high levels for some time.

The main questions thus far unresolved had been:

Who will "bell the cat?"

What is the proper timing?

ALMOST INTRODUCED

Some sort of bill proposing more votes for large urban areas was almost introduced at the last session of the General Assembly. But the timing was considered wrong. And there was some question about who would offer the bill.

There can be no doubt that Herman Talmadge was in the strongest position to break the ice.

As the state's acknowledged political leader, his opinions carry tremendous weight. And because of his long identification with the unit system, it would be difficult to accuse him of attempting to destroy the system.

WAS THE MAN

Perhaps it already had been decided that the senator was the man to make the suggestion first. But it is unlikely that many people expected it to come when it did.

There was no "arrangement" between the senator and newsmen who interviewed him on the Wednesday night television program. He did not solicit the question.

But Talmadge, exercising his intuitive political timing, apparently decided the time was ripe.

Further evidence of the spontaneity of the timing is the fact that there were no prepared comments waiting for newsmen on the matter. Gov. Vandiver, for instance, did not issue a statement until the middle of Thursday afternoon.

KICKED AROUND

However, quite a number of political leaders did indicate — at least privately — that they had kicked the matter around among themselves in the past. The fact that Talmadge had said what he had apparently did not surprise them.

That does not mean they all agreed with him.

And at least one erstwhile political power was caught completely off guard. He insisted Thursday that Talmadge had been misquoted.

Even though "men in the know" were prepared for the statement, the general public probably was surprised.

For the public, the question is: "Why?"

CYNICAL ANSWER

The most cynical answer is that defenders of the unit system were afraid the U.S. Supreme Court might declare the system invalid. By diminishing its extreme results, they hoped to protect it.

That argument doubtless played a part in the change of attitude.

But Talmadge and other political leaders must be credited with some idealism too. The shift of population from rural to urban areas probably has proved more drastic than many of them expected a few years ago.

GRADUAL CHANGES

True conservatism, after all, does not mean inflexibility. It embraces gradual changes in ligth of changing conditions, within the existing framework of government.

Talmadge has been rightly identified as a conservative. But he has demonstrated throughout his career a capacity for meeting new challenges with new perspectives.

His reappraisal of the county unit situation doubtless reflects both the hard political facts of life and political responsibility.

Census Key Is Seen by Governor

Sen. Russell joined Sen. Talmadge Thursday in endorsing more county unit strength for urban areas.

Other reaction to the junior senator's remarks included a cautious statement from Gov. Vandiver that "any final consideration or study of the problem . . . would . . . have to await the results of the federal decennial census next year."

LONG A DEFENDER

Talmadge, a lifelong defender of the unit system, surprised the state Wednesday night by declaring it "might be wise" to consider more votes for the cities.

Russell commented Thursday that:

"As a citizen of Georgia, I have thought for some time the continuing shift of population to the larger cities would require some reexamination of the county unit system."

Like Talmadge, he stated that, "I am strongly in favor of the county unit system."

The senior senator added, however, that "it might seem to be advisable to consider giving the more populous counties some larger participation.

NOT UNDER THREAT

"I wouldn't do it under any threat that the U.S. Supreme Court might throw the county unit system out; but rather justice to the larger cities suggests a re-examination of the system."

Russell said he would not presume to set forth any specific plan for county unit realignment.

Vandiver likewise reaffirmed his support of the principle "that the people of every county in Georgia must continue to have an effective voice in the selection of state officials."

He expressed fear of an adverse Supreme Court decision on the matter.

MUST WAIT

"Any final consideration or study of the problem or pertaining to readjustment of congressional districts would, of necessity, have to await the results of the federal decennial census."

Vandiver's comment added credence to a report from a high administration source Wednesday night that a study of county unit and congressional reapportionment would be made by the 1960 General Assembly.

Lt. Gov. Byrd took issue with Talmadge but did not close the door on possible change.

Byrd said he had "the highest regard" for Talmadge's views but added that the present unit structure "is serving Georgia well . . . There is a question as to whether we could modify it at this time without giving aid and comfort" to Georgia's enemies, he stated.

WANTS STUDY

"But," Byrd concluded, "we should carefully study Sen. Talmadge's observation because he is close to our problem throughout the country, as well as in Georgia."

Roy V. Harris of Augusta, one-time kingmaker in Georgia politics, asserted that Talmadge had only said the Legislature should study the problem. "I think Sen. Talmadge's feeling is like mine—that is, we're opposed to any change," Harris said.

Speaker George Smith also was among those opposing change, but Floor Leader Frank Twitty indicated the time may have come for a change.

WON'T GIVE UP

Atlanta's Mayor Hartsfield, who unsuccessfully fought the unit system in federal courts last year, commented that any change would have to be "substantial" before he gave up his fight.

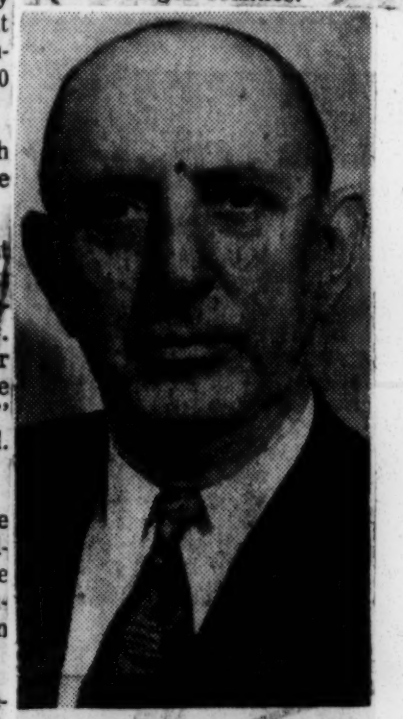
Other comments:

Carter Pittman, Dalton lawyer and segregationist, said he would favor readjustment, but not along strictly population lines.

Charles Bloch of Macon, attorney, advisor to Gov. Vandiver and defender of the unit system in court last year, saw no objection to making a study.

WANTS FAIRNESS

Rep. James C. Davis of Stone Mountain, who has won two out of his six victories without a popular majority, said he has "felt for a number of years" that "a fair approach ought to be taken toward modifying representation of larger counties."



JOINS TALMADGE
Sen. Russell

Talmadge Suggests Unit System Change

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON—Sen. Talmadge suggested Friday it may be wise for Georgia's big city counties to be given more unit votes in order to save the county unit system from overthrow by the U.S. Supreme Court.

Talmadge did not flatly advocate such a course, in a cautiously worded suggestion that the State Legislature "study" the problem.

But the implication was clear that the senator feels such a modification of the county unit system may well be necessary to "preserve and protect" it from future court action.

Talmadge made this comment in a television program beamed from Washington by 17 stations in Georgia in what appeared to be an attempt to clarify his position on the unit system.

FEARS A LOSS

The junior senator from Georgia declared he is for the unit system "absolutely and unreservedly" as a protection for the small counties. But he also warned it would be short-sighted for the system's supporters to sit idly by and lose it through inaction.

The last test case of the unit system before the U.S. Supreme Court resulted last year in the system being upheld by only a 5-to-4 decision, Talmadge pointed out. Since that time, one of the justices who voted to uphold the system has retired and another probably will retire soon.

A more liberal court, Talmadge commented, could well destroy the system in some future case.

The senator said, "It is not my purpose to attempt to make suggestions to either the governor or the General Assembly."

SUGGESTED REVISION

However, he noted there have been many newspaper headlines, stories, editorials and cartoons purporting to interpret comment he made recently about the unit system in another television appearance.

In that unrehearsed appearance, Talmadge in reply to a question, said he thought the Legislature might well study population shifts in the state and that some readjustment in the system might be wise.

"Since the question has been raised and now has become a matter of general concern," Talmadge said Friday, "It is my considered opinion it would be wise for an appropriate committee of the Legislature:

"1. To study such action as may be necessary best to protect the county unit system from destruction at the hands of the Supreme Court;

"2. To study whether, in the light of the present serious threats to the system, a few of the most populous counties of the states should be granted a reasonable increase in unit votes to more nearly reflect current population trends."

FOR PRESERVING SYSTEM

Talmadge said this would, in his opinion, help preserve and protect the system.

"Its preservation is something to which all of us must give our best thoughts. It would be short-sighted indeed, for us to sit around and lose the system due to our failure to do everything necessary to protect and preserve it.

"In so doing, the General Assembly should make absolutely certain that no county's unit vote or representation would be reduced and that nothing would be done that would shift the present balance of political power which assures that diffusion of political initiative and stops political machines at the county line."

AMPLIFIES COMMENTS
Sen. Herman Talmadge

Talmadge Is Honest In Unit System Stand

Two conclusions seem justified on reading Sen. Talmadge's statement reaffirming his belief that if Georgia does not reform the county unit system it will be wiped out in its entirety.

They are these:

1. Sen. Talmadge sincerely is interested in Georgia and its future.

2. Among those who are loudest in attacking the senator for his stand and are demanding that things be left as they are are those who were associated with the previous corrupt administration. They are interested in themselves only and in the prospect of returning to power through whatever means available.

It is necessary to make it clear that Sen. Talmadge would prefer the unit system be left as it is. His position is, as he says, well known. But he is seeking to do an honest job for the people he represents. He is, therefore, dealing in facts.

Our own position is that the county unit system, which disfranchises many voters in every large county in Georgia, which makes the votes of residents of those counties worth a mere fraction of those of others, is wrong and ought to be abolished.

Sen. Talmadge supports it and seeks to save what he can of it.

We honor him for integrity and honesty in trying to salvage what he can of the system. The hypocrisy of his critics is quite in character and we are certain the people will not be deceived.

Supreme Court To Rule Monday On Terrell Suit

The Supreme Court is expected to rule Monday on the Terrell voting rights suit in which a U.S. District Court held the 1957 Civil Rights Act was partly unconstitutional.

The high court will adjourn Monday until fall, but legal sources believe the Justice Department's petition asking that the court accept a direct appeal from the federal District Court at Macon will receive action before the adjournment.

The case was directed against Terrell County voting registrars, and maintained that they had consistently discriminated against qualified Negroes seeking to register.

Ga. Judge 'Erred' In Vote Case, Declares Government In Appeal

BY LOUIS LAUTIER

WASHINGTON (NNPA) — The Federal District Court at Americus, Ga., "fell into plain error" in dismissing the suit of the Attorney General against voter-registrars of Terrell County, Ga., for allegedly depriving qualified colored persons of the right to vote.

That is the contention of the Justice Department in asking the Supreme Court to review the decision of Judge T. Hoyt Davis of the Federal District Court for the Middle District of Georgia.

Judge Davis dismissed the complaint of the Attorney General last April 16 on the ground that the statute under which the suit was brought is unconstitutional. He held that it was beyond the power conferred on Congress by the 15th Amendment.

THE 15TH AMENDMENT prohibits the states from denying or abridging the right of the United States citizens to vote and gives the Congress power to enforce this provision by appropriate legislation.

Attorney General William Rogers sued to enjoin Terrell County voter-registrars from wrongfully depriving qualified persons of the right to vote because of their color.

The question which the Supreme Court is asked to decide is whether two subsections of the civil rights statutes are totally unconstitutional because they permit the Attorney General to seek injunctive relief against a private citizen for an individual act, divorced completely from state action."

THE TWO subsections of the civil rights statute involved in the suit are:

1. The provision of the Civil Rights Act of 1870 that "All citizens of the United States who are otherwise qualified by law to vote at any election . . . shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude. . . ."

2. The provision added by the 1957 Civil Rights Act that "Whenever any person has engaged . . . in any act or practice which would deprivate any other person of privilege secured by subsection (a) or (b), the Attorney General may institute . . . in the name of the United States, a civil action or other proper proceeding for preventive relief . . ."

In the complaint filed Sept. 4, 1958, the Attorney General alleged that voter-registrars of Terrell County were refusing to permit qualified colored citizens of the county to register and vote.

* * *

THE ACTS and practices he charged the registrars with engaging in to keep colored persons from registering included:

Arbitrary and discrminatory delays in processing applications for their registration, arbitrary refusal to register colored persons who demonstrated themselves to be fully qualified to register to vote under Georgia laws.

And discriminatory application of more difficult and more stringent registration stands to colored applicants for registration than those applied to white applicants.

Judge Davis dismissed the suit on the ground that the provision of the 1957 Civil Rights Act, designed to enforce the provision of the 1870 Act, is unconstitutional.

* * *

JUDGE DAVIS held that the 1957 Civil Rights Act authorizes the Attorney General to bring civil suits against private individuals as well as against persons acting under color of law, and that its enactment therefore was beyond the power conferred upon Congress by the 15th Amendment.

"In reaching this result," the Justice Department asserts, "the District Court fell into plain error."

The Justice Department maintains that the suit was against state officers, not private individuals.

The judicial approach of Judge Davis was not the correct one when the constitutionality of an Act of Congress is drawn in issue, the Department tells the high tribunal.

* * *

THE PRIMARY obligation of the courts is to determine the constitutionality of a statute within the actual context of the facts involved, the Department states, adding:

"It is not the function of the courts to conjure up remote, hypothetical situation to which the statute conceivably might be applied—and if so applied, might be unconstitutional."

The Department maintains that Judge Davis disregarded this "axiomatic rule of Federal constitutional law by construing and passing on the validity of the statute as if it were being applied to a nonexistent, hypothetical set of facts."

The appeal was filed on behalf of the United States by Attorney General Rogers, Solicitor General J. Lee Rankin, assistant Attorney General W. Wilson White of the Civil Rights Division and Harold H. Greene and David L. Norman, attorneys.

U. S. will appeal Ga. reversal

WASHINGTON

Despite Federal court defeats in two voter denial suits brought under the provision of the Civil Rights Act of 1957 which permits the Attorney General to seek injunctions in voter denial cases, the Department of Justice announced Friday that it will continue to file such suits "as the need arises."

The Justice Department has also filed appeals in both cases.

The latest setback for the Department in its efforts to safeguard the voting rights of colored citizens in Southern states came on Thursday, in Macon, Ga., as Federal District Judge T. Hoyt Davis ruled that the vote safeguard provision of the Civil Rights Act is unconstitutional.

His ruling was handed down in the case of the Justice Department vs. five Terrell County, Ga., registrars who were accused of preventing colored residents of the county from registering to vote.

* * *

THE EARLIER defeat for the Justice Department came in Montgomery, Ala., last March 6, when District Judge Frank M. Johnson Jr., dismissed a similar action against registrars in Macon County, Ala., on grounds that the registrars had resigned their posts and that there was no one left to sue.

In neither case did the court make judicial consideration of the actual denial of the rights of the voters in whose behalf the suits had been brought.

In his ruling, which held that the vote guarantee provision of the rights act is invalid because of its attempt to grant the Attorney General power to move against private citizens, Judge Davis contended that the "scope of the statute" is too broad.

He did not rule on whether there had been discrimination as charged, but claimed that the rights law went beyond powers given the Federal Government under the 15th Amendment in that it would allow the Attorney General to seek an injunction against a private citizen "for an individual act, divorced completely from state action."

WHILE ADMITTING that the Terrell County suit challenged state action, Judge Davis held that there is nothing in the civil rights law to prevent an attempt to move against private individuals who might attempt to restrict voting in state elections.

"It is the province of the several states," he declared, "to protect rights of one citizen against wrongful practices of another. Congress should not be allowed to extend the authority of the Federal Government into this field."

The Terrell case ruling, if permitted to stand, will invalidate the only significant section of the Civil Rights Act of 1957.

With the voiding of the vote guarantee section, little would be left except that portion which authorized the creation and operation of the U.S. Civil Rights Commission, an agency with no enforcement powers and whose very existence is dependent upon action by each new Congress.

* * *

THE DEPARTMENT of Justice's appeal of the Davis ruling may be carried directly to the U.S. Supreme Court, bypassing the U.S. Court of Appeals, because of the constitutional issue involved.

There is little likelihood, however, that a Supreme Court ruling might be expected before the fall term of court unless it is taken up under some special procedure.

The Justice Department charged in the Terrell County case that only forty-eight of the 5,036 colored residents of voting age in the county were registered to vote, that cards of different colors were used for white and colored records and that literacy tests were used unfairly to exclude colored voters.

During the hearing the Department presented four colored teachers with college degrees who had been excluded on the basis of registrars' evaluation of their literacy test performances.

Negroes Told To Vote at Macon Meet

MACON, Ga., Oct. 31 (AP)—Georgia Negroes must never let up until they have 300,000, nearly twice the present number, qualified to vote, a spokesman declared Saturday.

"That day will surely come if only we will continue our aggressive efforts," said John Wesley Dobbs of Atlanta, president of the Georgia Voters League, in an address for delivery at a meeting at Steward Chapel AME Church.

Dobbs reminded league members that only those duly registered will be able to vote in next year's important elections and urged that they bestir themselves "to get that mesage over to the Negro people of Georgia."

"It is not our aim or desire," he affirmed, "to try to control your political activities. Neither do we desire to tell you how to vote. The object of this organization is to get Negro citizens ready to vote."

"Better days are ahead of us," he continued. "Nothing is more certain in America today than that equal rights—equal opportunities—equal education—equal citizenship will be the final goal for every American without regard to race, color or creed."

The league meets twice annually at the AME church.

HOLMAN CHURCH CITED

LOS ANGELES — Holman Methodist Church, one of the largest in the city is one of three Methodist churches recently cited by the National Church Architecture Conference for outstanding design. The Rev. L. L. Whtte, pastor, organized the church in 1947.

Scott Explains Why He Refused Office In League

(The following statement was released to the public yesterday by C. A. Scott, who was a vice co-chairman of the Atlanta Negro Voters League until Monday night.)

Fifteen years ago I belong with other citizens, joined in forming the Atlanta Negro Voters League, as an instrument through which our people could express their united voting strength as occasions demanded. Those occasions came around several times since 1944, and especially so in 1957. However, there have been a few occasions in which the League could have wisely pursued a neutral course rather than make an endorsement. But, on the whole, the Atlanta Negro Voters League has proven the need for its existence.

As a practice, it has operated with two officers for each of the principal offices; and, usually, they were members of the two different parties—Republican and Democrat. All during these years, except the last three, when the League held general meetings for the selection of officers, the League named a nominating committee and it brought in nominees who were approved at the general membership meeting.

But, after failing to have a meeting in three years, and apparently fearing the general membership for some of the policies which the executive committee has pursued in recent years, a committee brought in an amendment to the Constitution of the League which requires that the officers of the League be nominated by the two local partisan clubs—Democratic and Republican. The partisan requirement in the Constitution was strongly opposed in the committee by me on the grounds that it would constantly raise the party question. This would be divisive when we needed unity. I told the committee in an executive session that I could not stand for renomination as an officer under a rule which I considered basically unfair to the general membership, in that it could mean almost permanent perpetuation of myself and other officers who could please the few persons who control the nominations through the two political clubs, without any obligation whatsoever to the needs of the great mass of voters.

I feel the Voters League must be able to nominate its own officers from its own membership, without being handicapped by hand-picked nominees by two or three persons in some partisan club. Also, I feel that every member of the League should have a fair and equal chance to hold office. As it stands under the new amendment adopted Monday night, it is almost impossible to be elected from the floor in opposition to any one member on a slate of nominees presented by the two political clubs. This is unfair to the average member of the League.

Hence, I, and others, attempted to get a substitute amendment adopted which reads as follows:

'PROCEDURE FOR ANNUAL ELECTIONS: A Committee on Elections, consisiting of five members, shall be named thirty (30) days prior to the Annual Election Meeting. Said committee shall receive applications from any member for any offices to be filled for the first ten week-days after its selection. After this ten-day period, this committee shall have the right to nominate persons for any office for which no applications have been made. This complete list of applications and nominees shall be presented to the membership at the Annual Election Meeting.

"Officers shall be co-chairmen, co-vice chairmen, co-secretaries, co-assistant secretaries, treasurer, parliamentarian, chaplain and such other officers as shall be created from time to time by vote of the League."

In the eyes of impartial observers, this amendment did not get a fair consideration. So, I hope it will be submitted to the next regular election meeting in January. In the meantime, I regret that, under the recent new amendment, I will not be able to be an official in that organization.

I hope by the time of this January meeting, the voters will clearly understand the issue and will void this partisan amendment, adopted Monday, in favor of a fair proposal that will enlist the confidence and support of the people.

This position is not merely one held by me, but it is shared by a great many of other citizens who have already so expressed themselves.

I want to see a strong voters league, and desire to be a part of an organization which will rest on a sound foundation and be operated by sound policies.

Vote case charge against 4 teachers called 'hogwash'

AMERICUS, Ga. — The claims that five college graduates — four of them teachers —are not qualified to vote is just so much hogwash, the Government declared.

Ben F. Brooks of Kaufman, Texas, representing the Government in the suit against the Terrell County Board of Registrars, charged that the plaintiffs are more than qualified to become voters.

The suit was filed on behalf of the complainants by the Justice Department's new civil rights division on Sept. 4. It is unlikely, however, that the case will come to trial before June.

Following oral arguments, U.S. Judge T. Hoyt Davis called on both sides to file written briefs, allowing attorneys for the defendants 20 days to mail the briefs to him in Macon. The Government was allowed 15 additional days to reply.

IN ALLOWING a total of 35 days to elapse it appeared certain that the case would not come to trial before the June term of the U.S. District Court.

Charles J. Bloch representing the registrars indicated that the case may be used to test the constitutionality of the Civil Rights Act of 1957 as he continuously referred to the act as "unconstitutional."

He further stated that the Act is evil in design and even if it be held constitutional he maintained that the Government acted illegally in bringing the suit in contradiction with the 10th and 11th Amendments.

IN REPLY to Bloch the attorney for the Government declared that the suit seeks to only restrain the Terrell County Board of Registras from illegal practices.

The suit charges that the board illegally refused to register Dave L. Gibson and Eddie G. Lowe and Mesdames Edna Mae Lowe, Janice Breedlove and Grace Boyd Gibson.

All are teachers except Eddie Lowe. Mrs. Lowe holds a master's degree.

Despite these facts they were refused registration on the grounds that they could not read or write correctly.

to the opinion given me by my attorneys, a doubt exists because some of the primary-election statutes have not been changed by the Legislature to conform to the 1955 constitutional amendment giving 18-year-olds the right to vote in general elections."

The sheriff said it is his hope that an eventual ruling by the Kentucky Court of Appeals declaring this right may inspire more young people to participate in all elections, both as voters and as election officers.

In the suit, the sheriff is plaintiff and also a defendant. He sued the Election Commission, of which he is ex officio chairman.

Georgia judge asks briefs in race vote suit

AMERICUS, Ga., Jan. 27—(AP)—Federal Judge T. Hoyt Davis has called for written briefs in a civil rights suits against Terrell County registrars involving Negro voter qualifications.

Davis yesterday heard oral arguments in the suit filed in September by the U. S. Civil Rights Commission which asks court orders to end alleged discrimination against would-be Negro voters.

The suit particularly asks that the alleged discrimination end against five college educated Negroes, four of them are school teachers.

ATTORNEYS FOR the registrars petitioned U. S. District Court to throw the suit out on the grounds that the 1957 act was unconstitutional and the action was illegally brought.

The course of the action was closely watched by advocates in Congress of both harsher and milder civil rights enactments. Either side would be glad to seize upon any development favorable to its position.

At a hearing on the motion to dismiss, Judge T. Hoyt Davis listened to oral arguments Monday and then called for written briefs.

HE ALLOWED the registrars, represented by Atty. Charles J. Bloch of Macon, 20 days to file and the government, represented by Civil Rights Atty. Ben F. Brooks of Kaufman, Texas, 15 days to answer.

That would delay at least 35 days—perhaps longer—any decision by the judge on the motion.

If in deciding the court should deny the motion, the defense would have another 10 days to file an answer. Some time after that a date would be set for actual trial of the civil rights suit. The best guess was that the trial would not come before a June term of U. S. District Court.

GEORGIA CASE

Negro Voter Suit Ruling Is Delayed

AMERICUS, Ga., Jan. 26 (UPI) A federal judge refused to rule today on a motion to throw out the first voter discrimination suit filed under the 1957 Civil Rights Act.

U.S. District Judge Hoyt Davis ordered attorneys for both the federal government and the Terrell County Board of Registrars to submit written briefs to him for study. He gave the defense 20 days in which to file its briefs, and the government will have 15 days after that to answer them.

The Justice Department filed the action last Sept. 4 on behalf of five Georgia Negroes, all college educated, who said the Terrell County Board of Registrars denied them the right to register to vote.

Test Failure Claimed

The registrars replied that they did not exercise any discrimination and that the Negroes failed tests given them to determine if their voter applications should be accepted. The registrars filed the motion to dismiss the suit, charging that the Civil Rights Act was unconstitutional.

After a day of argument without a jury, Davis asked to see the arguments in writing.

Charles Bloch, Macon attorney representing the registrars, charged the only constitutional basis for the Civil Rights Act was the 15th Amendment and that the act was not appropriate legislation under that amendment.

He said the Negroes were not mentioned as plaintiffs in the suit and that in effect the federal court was being asked by the government to supervise the action of the board of registrars.

Vote List Purge Set In Laurens

Constitution State News Service

DUBLIN — Following an order by the Laurens County Grand Jury the Board of Registrars began revising the voters' list last month and the chairman, Jim Henry Montford, said that approximately 8,000 notices will be mailed out in the near future.

A number already have been mailed.

Citizens are notified by the Board that their registration as qualified voters will be canceled for having failed to vote within the past two years, unless statements are signed verifying their addresses, and making application for continuance as registered voters. These verifications should be returned promptly, Montford said.

Purpose of the revision is to purge the list of non-residents, persons unknown, or who have died and their names still on the list. Board members said the mailing of notices will probably be completed this week.

The Laurens County Commissioners recently stressed the fact that approximately half of the population of Laurens County is on the list of registered voters—something over 16,000.

With Montford, other board members are Woodrow Clark and Dewey Johnson, with Mrs. Josephine Jackson and Mrs. Mildred Lord as clerks.

Sees Doom For County Unit System

WAYCROSS, Ga. — (UPI) —The mayor of Nasville, Tenn., has predicted that Georgia's county unit system will be scrapped by judicial decree the next time it is challenged before the U. S. Superme Count.

Mayor Ben West said the recent turnover in the membership of the high tribunal may reverse the close decision in the most recent court test.

West, who was in Waycross Monday for a visit, based his forecast on the fact that the system gives small, two - unit counties far more representation in proportion than it gives voters of big metropolitan areas in the state.

The mayor said he told a congressional committee studying the need for reapportionment in Tennessee and otherstates that the migration of farm residents to cities has left "pigs and cows having more representation than some people."

57,000 Voters The Goal

Register To Vote, 9 Students Plead

By JOHN BRITTON

It was perhaps a case of the young leading the old to the "water" and urging them to drink as nine students, whose average age was approximately 24 years, stopped everyone who walked the halls of the Fulton County Courthouse and urged them to register to vote.

The nice young crusaders were led by a very petite and lovely housewife who said she wanted it emphasized that no sacrifice is too great nor any task too hard for the benefit of the cause she is working for.

Mrs. Jacquelyn Green is a persistent worker in the All Citizens Registration Committee's massive campaign to have the names of at least 57,000 Negroes on the list of qualified registered voters by the May deadline.

Mrs. Green, along with the nine male students who assisted her in making her registration plea to every Negro who passed through the halls of the courthouse began her gallant freedom vigil Monday at 9:30 a.m.

EIGHT HOUR DAY

She said she is anxiously anticipating working a full eight-hour day in her efforts to convince the non-registered voters that the ballot is the only means of full emancipation from the wrongs that the Negro has suffered.

Mrs. Green will be in the courthouse corridors until March 29. She said the canvassing at the courthouse was conceived because there is now a constant flow of people coming to the building to make tax returns and buy automobile tags.

In relating some of her experiences during the past two days of her personal registration efforts, Mrs. Green noted that she has discovered many of the reasons why some Negroes have not registered.

She cited the example of a non-registered man who refused to listen to her persuasive lecture on the necessity of registration on the grounds that he "did not have time."

She said she reminded the man that the registration process barely exceeds five minutes in length. She said she also reminded him that five minutes was a short time to spare for the guarantee of a future democratic Georgia.

FEARED CLERKS

Another man was quoted by Mrs. Green as saying he could not register because he did not know how and was afraid to face the registration clerks alone. She was later seen accompanying the man to the registration office to help give him courage.

The ten "registration patrollers" are stationed throughout the building at strategic points where it is virtually impossible for them to miss seeing all prospects for the registration books.

They are trained to give advice on the registration process and seemed very willing to accompany anyone who requested their assistance to the registration office. Many of the "patrol" became so wrapped up in the civic task that they said they forgot to take time out for lunch.

The irony of the situation is that they could not have eaten lunch in the courthouse building anyway. After that thought hit some of the workers, they used it as a selling point for what more names on the voter's list could do.

MUCH SUCCESS

Their efforts brought a good degree of success. At 12 o'clock noon, the students reported they had actually assisted 50 people in registering to vote. They said they had talked to more than 500 others, some of whom were registered while some others "did not have the time."

For information regarding the registration process, the committee workers can be easily recognized by the red, white and blue arm bands tied to their sleeves.

On the armbands will be seen the slogan the students said they lived by and worked for. The slogan read, "Eternal Vigilance is (still) the Price of Liberty."

Federal Judge Asks For Written Briefs Instead

AMERICUS, Ga. — The Terrell County, Ga. Board of Registrars lost its initial bid to have a suit charging them with racial discrimination thrown out of court Wednesday when a federal judge refused to rule on the motion seeking dismissal of a petition filed under the 1957 Civil Rights Act.

U. S. District Judge T. Hoyt Davis ordered attorneys for both the federal government and the board of registrars to submit it's briefs, and the government will have 15 days after that to answer them.

The action was filed last September 4 by W. Wilson White, who heads the Justice Department's new Civil Rights Division in Columbus Ga. on the behalf of five Negroes, all college graduates, who said the Terrell County Board of Registrars denied them the right to register to vote.

The five were turned down last April 7 on grounds they could not read or write correctly. The government alleges the five are well qualified to vote and are being discriminated against because of race and color.

To this the registrars replied that they did not exercise any discrimination, and that the five failed tests given them to determine if their voter applications should be accepted.

In filing suit for dismissal the registrars said the 1957 civil rights acts is unconstitutional.

Argument for the defense was presented by Georgia Attorney Charles J. Bloch, who held the law was based on the U. S. 15th Amendment which he declared had been ruled unconstitutional three times.

He declared that the government in effect was asking the board to order registration of five people, and thereby set itself up an "an illegal supervising board of registrars over the Terrell Board."

The Five Negroes in the case are Edna Mae Lowe, Janie Breedlove, Davey Louis Gibson, Grace Boyd Gibson and Eddie George Lowe. All are college graduates and all but Lowe are schoolteachers. He works at the U. S. Marine Corps Supply Center at Albany, some 25 miles from Dawson, the Terrell County seat.

At least one of the schoolteachers, Mrs. Lowe, has lost her job since the suit was filed.

Named defendants are James Griggs Raines, chairman of the registrars, Dixon Oxford and Roscoe Radford, registrars, and the late F. Lawson Cook and Mrs Cook, deputy registrars, Oxford is state revenue commissioner.

Counsels for the registrars are Charles J. Bloch of Macon, Peter Zach Geer of Colquitt and Robert L. Russell, Jr., Winder.

Geer is executive secretary to Gov. Vandiver and a nephew of Superior Court Judge Walter I. Geer of Colquitt, who appointed the registrars and threatened to jail any "high-handed" civil rights investigators.

Mr. Russell is a brother-in-law of the governor and a nephew of Sen. Richard B. Russell.

Vote clinics end in Ga.

ATLANTA, Ga. — Calling on local political leaders to support, rather than try to defeat, voter - registration, delegates to the Second Congressional District Citizenship Clinic in Albany, Ga., last week pledged to organize youth and adults as non-partisan, in six counties.

This was the final of a series of seven such workshops sponsored by the Statewide Registration Committee, previously held in Griffin, Americus, Savannah, Macon, Waycross and Atlanta, with total participation of 52 counties.

Prince Hall Grand Master, John Wesley Dobbs, Atlanta, chairman of the committee, declared: "No man has a right to rob another man of life, liberty and the pursuit of happiness, but there is a brighter day coming."

He urged the organization of "Young People for Action" but advised youth and adults that they should work with public officials and leaders at the local level for the best interests of their respective communities.

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J. W. WHITAKER, Albany, was elected as district organizer; Miss Ethel Ann Poteat, Bainbridge, youth district organizer; Miss Mary Crapps, Moultrie, assistant youth district organizer, and Miss Annie Maude McCoy, Bainbridge and Christine Everett, Moultrie, secretary and assistant secretary for youth.

Temporary county chairmen, who pledged to call together interested citizens in their communities were: Alvin Thompson, Early; Gabe Davis, Sr., Gabe Davis, Jr. (youth) Worth; H. S. Dixon, Miss Marian Lee (youth) Decatur; Rev. H. C. Boyd, Miss Mary Crapps (youth) Colquit; W. H. Thomas, Thomas.

J. W. Whitaker, served as coordinator of the Clinic, assisted by N. E. Howell, George Elliot, Mrs. Mamie Reese and members of El Rakim Temple, Mystic Order of the Shrine. C. W. King, Albany, was asked to organize Daugherty County for voter-registration.

The meeting was held in the new Masonic Temple and Rev. M. F. Adams presided over the afternoon assemblage. Thomas Harris, State Youth Director and James Shaw, both of Atlanta, led discussions on the youth section, while Miss Mary Rogers, Atlanta, served as registrar.

Citizenship Clinics

Georgia's Negro Voters League has commenced citizenship clinics in various counties throughout the state to stimulate the Negro vote.

The statewide clinics are being directed by the league's registration committee.

The first clinic was recently held in Griffin. Adult and youth leaders from six counties in the Fourth Congressional District attended the meeting and discussed techniques for increasing voter registration.

Other district meetings are scheduled for Americus, Savannah, Waycross, Macon, Milledgeville, and Albany.

John Wesley Dobbs is president of the Negro Voters League. Thomas Harris is state chairman of the youth division.

Court Voids U.S. Weapon In Vote Case

MACON, Ga. (AP)—A section of the 1957 Civil Rights Act permitting the U.S. attorney general to seek injunctions against violation of voting rights was declared unconstitutional Thursday by a federal district judge.

In making the ruling Judge T. Hoyt Davis dismissed a Justice Department suit against Terrell County registrars. The registrars were charged with denying Negroes the right to register and vote.

APPEAL PLANNED

Davis did not rule on the alleged violations but held the act itself is invalid and could not be the basis of such court action. The Justice Department immediately announced an appeal would be made.

The jurist said the statute involved would allow the attorney general to seek an injunction against a private citizen for an individual act, divorced completely from state action.

"It is the province of the several states to protect rights of one citizen against wrongful practices of another," Davis wrote. "Congress should not be allowed to extend the authority of the federal government into this field."

SENSITIVE TO SYSTEM

Davis said his court would never condone wrongful deprivation of the constitutional rights of any person by a state official or private citizen.

"On the other hand," he added, "this court is also sensitive to the dual sovereignty system of government under which we operate and is sincerely devoted to its preservation."

The section of the 1957 act allowing the attorney general to seek voting rights injunctions, said Davis, "is beyond the jurisdiction of Congress and unconstitutional. It is not appropriate legislation within the meaning of Section 2 of the Fifteenth Amendment to the constution of the United States."

U.S. Atty. Gen. William Rogers filed a petition for an injunction against the registrars last Sept. 4 in the Americus division of U.S. District Court. A motion to dismiss the proceedings was argued before Davis in January and he has had it under advisement since.

High Court Gets Rights Act Appeal

MACON, Ga., April 24 (AP)—The government is going directly to the U.S. Supreme Court in an effort to sustain the validity of the 1957 Civil Rights Act.

A local section of the controversial law was ruled unconstitutional by U.S. District Judge T. Hoyt Davis on April 16 in a government suit to enjoin the registrars of Terrell County, Ga., from discriminating against Negro applicants for voting.

The government yesterday filed formal notice of appeal, looking directly to the nation's highest court instead of first to the circuit court of appeals. Signing the notice were J. Wilson White, head of a civil rights division set up under the 1957 act; his assistant, Ben F. Brooks of Kaufman, Tex., who argued the Terrell suit at an Americus hearing in January, and U.S. Atty. Frank O. Evans.

The section of the act ruled out by Judge Davis allows the government directly to petition for injunctions against voter discrimination whenever there is evidence of denial of voting rights. Before the 1957 act, the legal remedy most used was punitive action against the registrars by persons denied voting rights.

Judge Davis held that the injunction power of the new act invades the rights of states and is broader than the Constitution allows. He said that if allowed to stand, it might be used by the attorney general to seriously impair the private rights of individuals.

The Terrell suit was the first brought by the government under the 1957 enactment. Hence the outcome of the appeal will be watched closely as was the earlier course of the suit.

'57 Rights Act Part Held Not Constitutional

MACON, Ga. (AP) — A section of the 1957 CIVIL Rights Act permitting the U.S. attorney general to seek injunctions against violation of voting rights was declared unconstitutional Thursday by a federal district judge.

In making the ruling, Judge T. Hoyt Davis dismissed a Justice Department suit agint Terrell County registrars. The registrars were charged with denying Negroes the right to register and vote.

Davis did not rule on the alleged violations but held the act itself is invalid and could not be the basis of such court action. The Justice Department immediately announced an appeal would be made.

The jurist said the statute involved would allow the attorney general to seek an injunction against a private citizen for an individual act, divorced completely from state action.

"It is the province of the several states to protect rights of one citizen against wrongful practices of another," Davis wrote. "Congress should not be allowed to extend the authority of the federal government into this field."

In Washington Sen. Olin D. Johnston said the ruling was "a step back toward constitutionality" which could go down in history. He cmmented to The News and Courier's Washington Correspondent.

And Sen. Herman Talmadge (D-Ga) said the ruling "is the greatest single victory for states' rights and constitutional government in 75 years."

SAVANNAH — The Georgia League of Women Voters last week adopted a resolution supporting integration of schools in preference to closing the schools or defying the Supreme Court.

CRC Plans All Out Probes

Will Exhaust All Remedies To Aid Negroes

ATLANTA (UPI)—The U. S. Civil Rights Commission voted unanimously Saturday to "exhaust every remedy" to obtain all the facts in cases involving complaints of discrimination against Negro voters.

The Commission, which completed a one-day hearing here Friday on minority housing problems, will decide at a similar hearing next month in Chicago whether to hold formal hearings on charges of discrimination in voting.

Northern Louisiana officials in the Shreveport area have refused to let commission investigators examine voting records in complaints brought by 69 Negroes. The investigators have no subpoena power, and a Louisiana law requires voting records be kept obtains signatures of 5 other registered voters on a request to inspect the records.

The full Civil Rights Commission, in a formal hearing, could issue subpoenas for examination of the records as it did in Alabama.

"If it develops that the required facts cannot be obtained without a formal hearing or hearings, that possibility will be considered and acted upon at the May meeting at Chicago," Executive Director Gordon Tiffany said.

Voter Registration Law Takes Heavy Toll Here

The purging of 26,000 persons from the Fulton County voter registration list during the first quarter of this year stems from public indifference and unrealistic state laws.

Knowing that their votes have such little weight under the county unit system, a large number of Fulton County citizens fail to go to the trouble of casting ballots in state primaries.

Nevertheless, a fractional vote is better than none and it behooves all citizens to exercise what voice they can in government.

State lawmakers, however, have various ways of discouraging voting. One such gimmick, contained in a 1958 act of the General Assembly, eliminated municipal elections as counting toward a person's remaining on the list of qualified voters.

This provision knocked the props out from under some 8,000 in Fulton County who cast ballots in the last city election but who have not voted since.

Despite all the roadblocks the state has seen fit to erect, however, all citizens should see to it that they become eligible to vote. The Fulton County registrar's office is so equipped that it takes only about five minutes to register

It would be a good idea to seize the opportunity now before the General Assembly sees fit to make the process more difficult.

Opening Round Ends On Voting Rights Battle

Atlanta Constitution
Tues. 6-2-59
P. 1 & P. 13

Federal Judge T. Hoyt Davis' action in dismissing a suit charging the Terrell County Board of Registrars with discrimination against Negro voters is a significant one.

The suit was the first to be filed under the 1957 act setting up the U.S. Civil Rights Commission. As such it can be considered the opening round in a long battle to determine the issue of federal vs. state authority on voting rights.

Judge Davis' ruling in effect held that an injunction clause of the 1957 Civil Rights Act is unconstitutional.

The injunction, sought by Atty. Gen. William Rogers, would demand that the registrars apply equal qualifying standards to applicants of both races.

Considerable litigation can be expected regarding the validity of the act.

But at least the issue is being fought out in the courts, which is as it should be. Due process of law is the only civilized approach.

Women Voters Are Challenged To Broaden Service

Daily World
Tues. 6-2-59
Atlanta, Georgia

Members of the league of Negro Women Voters Sunday heard speakers praise the work of the organization and challenge the group to work harder to strengthen the service it can render. The occasion was the Seventh Anniversary of the women voters group and it was held at Springfield Baptist Church with Collie B. Whitaker, banker and former city alderman as principal speaker.

P. 1 34c

In his address Mr. Whitaker stressed the importance of citizens being interested in their government and pointed out the need for more economy in it. He said he hoped the voters' League success in getting more members and if they showed the necessary confidence and work their opportunities would be great.

Mrs. Angelin Hanson gave an analysis of the league's activities as: awakening interest in the importance of voting; improvement in transportation facilities in Dixie-Hills and a safety program for cross walks around churches and schools.

Carl Bevin, city traffic engineer, told about functions of his department. He said the city's 136 square miles were surveyed and the department put traffic signals where they were most needed. There are at present requests for about 350 lights, he said, and each light cost about $2500. Cost would prevent the establishment of all these lights, he added. But in closing he said his department tried to be fair in the conduct of its affairs.

C. A. Scott of the Atlanta Daily World said the proper use of the ballot could help solve problems which confront our race. He urged the women to work at getting all the new voters possible and asked the group to use its influence to help change the law which requires a separation of the taxpayers by race because the jury list is taken from the taxpayers list. He said a single list would enable more Negroes to serve on juries which are a part of the administration of justice.

Tues. 6-2-59

Mrs. J. L. Ingram, religious editor of the league and Mrs. Ruby Blackburn, president of the group responded to the talks and expressed appreciation for the support given the organization. Mrs. Ruth Sellers was mistress of ceremonies.

34c P. 3

Other participants on the program included Rev. M. R. Ragland, Mrs. Lillie Moreland, Mrs. Inez Davison, who introduced the speaker, and Rev. O. C. Woods, pastor of the church. Special music was rendered by the choir and a childrens' chorus.

League Of Negro Women Voters In Anniversary Today

Daily World
Atlanta, Ga.
Sun. 5-31-59

The League of Negro Women Voters will hear a talk by Carl Bevins, City Traffic Engineer Sunday as they hold their seventh anniversary at 4 p. m., at Springfield Baptist Church, Jones Avenue at Griffin Street, N. W., the Rev. O. C. Woods, pastor.

P. 1

The league, organized by Mrs. Ruby Blackburn, who served as its president, has figured prominently in civic and political affairs in Atlanta in recent years. Chapters have been organized throughout Georgia with an emphasis on voter registration.

34c

Mr. Bevins will talk to the group about traffic problems in the fastly growing city of Atlanta.

Coupled with the announment of the speaker was a declaration by Mrs. Blackburn that the league will continue its registration program.

The host chapter for the meeting is headed by Mrs. C. E. Calloway. Among guests slated to be present are: Collie B. Whitaker, E. M. Martin, C. A. Scott, J. L. Ingram and other community leaders. Mrs. Lillie Moreland is coordinator, while Mrs. Ruby Blackburn is League president. Mrs. Ruth Sellers will be mistress of ceremonies.

Judge Blocks Ouster Of Telfair Registrars

Constitution Atlanta, Ga. p. 5
Tues. 6-16-59

Constitution State News Service

HAZLEHURST (AP)—A petition to oust Telfair County's three-member board of registrars has been blocked by Brunswick Circuit Judge Douglas F. Thomas.

He ruled unconstitutional Saturday a legislative act empowering him as a superior court jurist to remove a county registrar from office for cause. The statute, never before tested in court, was attacked by Telfair County Attorney Preston Rawlins because it made no provisions for notice or a hearing.

34c

The petition would have removed registrars Parks Walker, Joe Hardy Marchant, C. L. Hall Jr. and deputy registrar Henry B. Williams.

Lyons attorney William Whatley representing two Telfair citizens who brought the action, promised new developments but would not tell what they would be. The action was filed by Jesse E. Smith and H. Frank Ray.

"There are several other courses of action we might consider taking that could bring results quicker than a decision could be handed down by the State Supreme Court on the ruling," Whatley declared.

Rogers Rips Rights Case In Terrell

P. 15
Constitution
Atlanta, Ga.

WASHINGTON (AP) — Attorney General Rogers' Justice department Tuesday told the Supreme Court a federal district court in Georgia went far afield last month in holding portions of the 1957 Civil Rights Act unconstitutional.

34c

The high court was asked to accept a direct appeal in the case, skipping the usual review by a circuit court, and to enter a reversal.

Wed. 5-13-59

The case represents the first action brought by the Justice department uder the 1957 act to protect voting rights.

Filed at Macon last September, the petition alleged that the voting registrars of Terrell County consistently discriminated against qualified Negroes seeking to get on the voting rolls.

District Judge T. Hoyt Davis dismissed the action April 16, asserting portions of the act are invalid because, the court said, they give the attorney general the power to seek injunctions not only against state officials but private citizens as well.

In seeking Supreme Court review, the Justice department said the act, "properly construed," applies only to official actions and that no private citizen is involved in the Macon suit.

"The court disregarded an axiomatic rule of federal Constitutional law by construing, and passing on, the validity of the statute as if it were being applied to a non-existent, hypothetical set of facts," the Justice department said.

"The constitutional question considered by the court was not presented to it for decision by the record of this case. Its sweeping adjudication of unconstitutionality was thus not only patently erroneous but entirely gratuitous.

"As applied here, the statutory provisions are plainly constitutional.

"In holding to the contrary, on the basis of an unjustifiable construction of acts . . . the district court fell into gross and manifest error."

The petition to the Supreme Court was signed by Atty. Gen. Rogers, Solicitor General J. Lee Rankin, Asst. Atty. Gen. W. Wilson White, head of the Civil Rights Division, and members of White's staff.

Voters League Passes Amendment Requiring Partisan Nominations

Daily World Atlanta, Ga. P/
Tues, 6-30-59

The Atlanta Negro Voters League passed the controversial amendment Monday night, which would require the league to get its co-officers from Democratic and Republican club. Opponents to the amendment had opposed it on the grounds it would bring about unnecessary partisan division, and would enable the control of the league by a few members of partisanu groups.

C. A. Scott, a former co-chairman of the league, refused to accept renomination under the new amendment which required party nomination.

Dr Whitney Young spoke out against the amendment which was adopted and said the league affiers ought to be elected so that every member would have a fair chance of being elected.

Young declared that under present plans a small group could control nominations.

The League elected officers and adopted four proposals for amendments to the Constitution at its annual meeting, held Monday night, at Big Bethel AME Church. Co-chairmen Attorney A. T. Walden and Rev. William M. Jackson, presided.

The proposals for amendments to the Constitution were presented by J. H. Calhoun, chairman of a subcommittee of the Executive Committee. Speaking on these proposals were W. J Shaw and J. R. Henderson.

It was the proposal to amend Article V to read that "..co-chairmen, co-vice chairman, co-secretaries, co-assistant secretaries, one each, respectviely, affiliated with the two major political parties .... and to "be nominated by their respective parties, that touched-off a considerable discussion.

C. A. Scott, a member of the committee, made a minority report, outlining procedure for annual elections. His substitute motion proposed that there be "a Committee on Elections, consisting of five members," to be named thirty days prior to the annual election meeting.

Rev. M. L. King, Sr., seconded the substitute motion. This substitute motion also provided that [illegible] be co-chairmen, co-secretaries, co-assistant secretaries, treasurer, parliamentarian, chaplain and such officers as shall be created from time to time by vote of the League."

Atlanta Daily World 7-30-59

After a discussion of the original and substitute motions, the membership adopted the Amendment to Article V provided by the Committee. The proposal presented as a substitute which would give all members an equal chance to be elected to office was defeated

The other amendments, dealing with the Executive Committee, Terms of Office, and Standing Committees were unanimously adopted.

The following officers were elected:

Attorney A. T. Walden, Rev. Wm. M. Jackson, co-chairmen; Dr. H. I. Bearden, W. H. Aiken, co-vice chairmen; W. B. Cochrane, W. J Shaw, co-secretaries; J. H. Calhoun, Attorney J. C. Daugherty, co-assistant secretaries: C. R. Yates, treasurer; Attorney Leroy Johnson, parliamentarian; and Rev. A. S. Dickerson, chaplain.

Chairmen of standing committees are as follows:

Jesse Hill, Registration and Organization; Program, J. R Henderson: Objectives, R. A. Thompson: William A. Fowlkes, Publicity; and T. M. Alexander, Finance.

Desegregation Feeling Slows Registration Of Negro Voters

Advertiser Montgomery, Ala.
Sun. 8-30-59 D. 6-6

ATLANTA (AP) — Registration of Negro voters in the South has been slowed by the strained atmosphere created by the school desegregation controversy.

The latest survey by the Southern Regional Council says that despite barriers that include threats, slowdowns, evasions and outright refusals, the number of Negro registrants remained fairly constant in 1958.

Two sets of figures on Negro registration were given, one for 11 states, another for eight.

In the estimate for 11 states, the council said there were an estimated 1,303,827 Negroes registered at the end of 1958, an apparent gain of 65,789 over 1956. This apparent gain is somewhat misleading, it added, because the 1956 estimate of Negro registrants in Tennessee proved low in light of later information.

EIGHT-STATE DROP

A drop of 45,845 in the number of Negroes registered was shown in eight states were SRC was able to obtain reliable figures. The total for the eight states was 1,028,827 in 1958, againstt 1,074,672 in 1956.

The council is composed of white and Negro southerners working for improved race relations. A full report on that survey entitled "The Negro And The Ballot In The South," by Margaret Price, will be published next week.

Eight states where reliable figures were obtained included Arkansas, Florida, Georgia, Louisiana, South Carolina and Virginia. These registration figures came from official sources. In North Carolina an estimate was made by the executive secretary of the state election board. In Texas, the council sponsored a county-by-county check.

NOT MUCH CHANGE

"An estimated 25 per cent of the eligible Negroes were registered in the South as a whole in 1956, as compared to 60 per cent of the white citizens of voting age," the report said. "The 1958 total represented about the same percentage, a little over 25 per cent of the Negroes of voting age."

"Since the council surveyed Negro voting in 1956, none of the 11 Southern states has eased its registration laws. Two states—Virginia and Georgia—tightened voting requirements. Five states retained the poll tax. Literacy tests which could be used to limit Negro registration remained in effect in seven.

"During this period, purges of Negroes from voting rolls have been widespread in Louisiana. In some areas of the South, Negroes trying to register were confronted with threats, slowdowns, evasions and outright refusals.

SUFFRAGE RETARDED

"The disturbed atmosphere in much of the South, created by resistance to school desegregation, clearly has retarded the normal growth of Negro suffrage. The fear and hostility generated by demagogues has dampened both Negro initiative and white acceptance of Negro political participation.

"The council found that many Negroes already registered have seen their vote shrink in importance as racists sought to make support by Negro citizens a liability rather than an asset."

The report gave the following figures on Negro registration by states:

	1956	1958
Alabama	53,366	70,000
Arkansas	69,677	64,023
Florida	148,703	144,810
Georgia	163,389	161,958
Louisiana	161,410	131,068
Mississippi	20,000	20,000
North Carolina	135,000	150,000
South Carolina	99,890	57,978
Tennessee	90,000	185,000
Texas	214,000	226,818
Virginia	82,603	92,172
Total	1,238,038	1,303,827

Meyer Hits Plan for Registrars

By JAMES SHEPPARD

The chairman of the Georgia Advisory Committee to the U.S. Civil Rights Commission said Tuesday he opposes one recommendation in the commission's report to President Eisenhower.

The recommendation, one of five dealing with voting rights, proposes appointment of federal registrars wherever it can be shown that members of minority groups are being denied the right to vote.

"LAWS SUFFICIENT"

The Georgia chairman, Sylvan Meyer of Gainesville, said he opposes the recommendation because appointment of a federal registrar would "place in the hands of the federal government a vital part of the election process so jealously guarded and carefully reserved to the states by the founding fathers."

Four other committee members had not seen the report prior to its release Tuesday and withheld comment until after they study it.

Meyer emphasized that he believes all properly qualified citizens should have the right to vote, but he said present laws are sufficient to protect that right.

"UNHEALTHY SITUATION"

Two and a half hours after the President received the report at noon in Washington, the Georgia advisory committee met in Atlanta to receive the report from William Swann, a member of the commission's Washington staff.

It was at this meeting that Meyer made known his opposition to the federal registrar recommendation.

Meyer said federal registrars would "create an unhealthy situation where a federal officer would be administering state law."

In general, Meyer said, he considers the commission's report "very mild."

Meyer had studied the report but the other Georgia committee members had had only the meeting.

The other members—Mrs. H. D. Trimble and Howard Sego of Atlanta, Dr. W. D. Funderburg of Monticello and Rt. Rev. T. James McNamara of Savannah—listened intently as Swann read and explained excerpts from the report. But they said they would withhold comment until they study the report. The committee's secretary, L. D. Milton of Atlanta, a Negro, did not attend.

Meyer told the committee the report "does not warrant total condemnation." He said many sections of the report show "an understanding of the Southern situation." He said the report seemed "mild" and certain parts of it appeared to be "an argument in advocacy of preconceived ideas in the field of race relations."

As Meyer opened the meeting, the Gainesville Daily Times editor denounced Sen. Eastland (D-Miss) for breaking the release date on the report. It was not scheduled for official release until noon Tuesday, but Sen. Eastland made parts of it public record Monday by reading excerpts into the Congressional Record.

The early release resulted in "journalistic distortion" of the report, Swann said. He said press reports made it appear there was "complete discord" between the six commissioners who made the report.

He said the commissioners concurred in 10 of the 13 recommendations.

Terrell Registrars Defense Outlined

U.S. Told Negroes Should Have Gone to State Court

DAWSON (AP)—The federal government had no right to take action against Terrell County registrars accused of discriminating against Negroes, attorneys for the registrars said Thursday.

The lawyers said in a brief supporting a federal district court ruling which in effect outlawed the 1957 Civil Rights Act that the Negroes seeking suffrage in Terrell County should have taken their case into state courts first.

The U.S. Supreme Court has agreed to review a ruling by Judge T. Hoyt Davis of the Middle District of Georgia that the enforcement section of the Civil Rights Act is unconstitutional.

The Terrell County case is the first test suit filed under the Civil Rights Act. In it the U.S. attorney general sought an injunction to force Terrell registrars to add five Negro names to voting lists and prevent alleged discrimination against other Negro voter applicants.

The Terrell attorneys claim that if the Terrell registrars acted illegally in carrying out their duties, they in effect stripped themselves of official status and therefore were acting as private individuals, and not for the state.

The brief says the Civil Rights Act in giving the attorney general authority to seek an injunction against a private citizen for an individual act is not "appropriate legislation" under the 15th Amendment to the U.S. Constitution.

The brief adds:

"There cannot be an abridgement or denial by the state within the meaning of the 15th Amendment until the corrective processes permitted by state law have been followed. The state cannot be said to have deprived or abridged a person's right when, as alleged here, persons design practices for the purpose of arbitrary discrimination in violation of the state laws, and the person aggrieved does not avail himself of the corrective remedies the state has provided."

Citizens Call For More Negroes On Juries; Hit Injustices

Voters League Is Stirred To Action On Several Issues

At a meeting held at the Butler Street YMCA Thursday night, the Executive Committee of the Atlanta Negro Voters League, the chairman of the All-Citizens Registration Committee, and leaders of a Citizens Defense Committee joined in an expression of a need for more Negroes to be called for jury duty.

Several persons said that only a token number is now being called for petit jury service and only "now and then" do Negroes serve on grand juries.

A three-person committee was named to confer immediately with the jury commissioners on the question of selecting more Negroes for jury duty.

Those named on this special committee were: C. A. Scott, Warren Cochrane and Rev. M. L. King, Sr.

It was reported that the Jury Commissioners are now in session to select names of prospective jurors from the voters list.

TO FOLLOW RECOMMENDATIONS

Atty. A. T. Walden and Rev. W. M. Jackson, co-chairmen of the League, announced after the meeting that recommendations made by several outstanding leaders, who are members of the committee, will be followed quickly and forcefully.

Among the matters which drew severe criticism at the Thursday meeting were: some reports of alleged police brutality, lack of employment opportunities in government, a long - sought fire station on the westside, lack of grand and petit jury assignments in state courts and failure to appoint more Negro police.

Definite plans were outlined for reorganizing the League structure to permit more participation from community leaders, democratic election of ward and precinct leaders and increased voter registration.

C. A. Scott made a report on the political unity of Negroes in Memphis since the recent election there.

Having announced that Memphis, Tennessee has 58,000 Negro registered voters as compared to less than 30,000 in Atlanta, Mr. Scott suggested a contest between the two cities in securing the largest number of registered voters.

Committee chairmen who were directed to take immediate action were Jesse Hill, Jr. registration - reorganization; R. A. Thompson, objectives; T. M. Alexander, Finance; V. W. Hodges, women's auxiliary; C. A. Scott, jury; W. H. Aiken and Leroy Johnson, youth work.

The need for a permanent Negro affairs office with a paid staff was stressed as a "must" if the Negro community is to receive its fair share of benefits from the progressive development of a million population metropolis.

NEED MORE VOTES

The meeting also heard speakers talk about the importance of more voters and how voting strength should be used to help the "little fellow" who is often unable to defend himself.

The meeting also went on record of joining with a committee on economic opportunities to see if our race could get a better break on city jobs.

Ga. Voters League Plans 1960 Drive

MACON, Ga. (SNS)—The Georgia Voters League met here Saturday and adopted a program to bring about a more effective Georgia Negro electorate in 1960 when national and state elections are slated.

In his annual address to the meeting which was attended by representatives from some 40 counties of the state, President John Wesley Dobbs described the power of the ballot and declared there would be no let-up in plans to guarantee it for all Georgia citizens. Dobbs was reelected president.

The League established a youth department and adopted plans to increase the number of registered Negro voters, and to increase their effectiveness in the 1960 elections. Members pledged support of the League's Statewide Registration Committee and planned opposition to continued registration and voter discriminations in Georgia.

Ga. Voters League Elects Officers

MACON, Ga. — (SNS) — The officers elected to the leadership of the Georgia Voters League at their Saturday meeting here included:

John Wesley Dobbs, Atlanta, president; Rev. J. F. Mann, Brunswick, 1st vice president, Rev. J. D. Walker, Savannah, and vice president; J. H. Calhoun, Atlanta, secretary; C. R. Yates, Atlanta, treasurer; Joseph Phinazee, Atlanta, assistant secretary; Rev. G. G. McCarter, Buena Vista, Chaplain; J. C. Burke, Dublin, sergeant at arms; Thomas Harris, Atlanta, youth director.

District vice presidents: Leroy Wilson, Savannah; H. D. Thomas Thomasville; G. F. Rivers, Columbus; A. C. Touchstone, Griffin; Dr. C. Clayton Powell, Atlanta; Frank Hutchings, Macon; Paul Kelley, Smyrna; E. E. Moore, Sr., Waycross; A. C. Brown, Gainesville and Daniel Young, Monroe.

Executive committee at large: A. R.. Hubbard, Blakeley; H. E. Bryant, Fort Valley; Rev. J. N. Miller, Macon; R. B. Harris, Atlanta; A. T. Walden, Atlanta.

Other youth officers: Vice president, John London, Atlanta, Miss Artha Rean Dean, Columbus, secretary; Miss Louvenia Love, Augusta, assistant secretary; Beauford Golphin, Augusta, treasurer; Miss Bertha Dean, Columbus, parliamentarian; district vice presidents: Isaac Culvert, Jr., Bertha Dean, Mary E. Rogers, Alma Lloyd, Aaron Mazyck and Beauford Golphin.

Savannah Women Voters Approve Placement Plan

SAVANNAH — (UPI) — The League of Women Voters here has adopted a resolution urging the state organization to support a combined pupil placement and parent option plan in the school integration fight, it was revealed reported Thursday.

A resolution urging the Georgia League of Women Voters to support the plan was adopted at a meeting Wednesday night, Savannah League President Mrs. Frank Strozier said.

It was the first time any white organization in Chatham County has come forth with any proposal for meeting the blossoming integration question.

The league resolution followed by only eight days a stormy meeting of a Negro delegation with the Chatham County School Board who petitioned the board for immediate launching of plans to integrate public schools here by next September.

The league resolution contained a proviso that the pupil placement - parent option plan be adopted only if the Georgia school system is faced with complete closure because of integration threats. It also contains modifications of the plan to suit local conditions.

Story of Legal Dueling

Ga. Vote Decision Doesn't End Fight

By
TREZZVANT W. ANDERSON
(Courier Roving Reporter)

DAWSON, Ga.—When Federal Judge T. Hoyt Davis of the Middle District of Georgia dismissed a Justice Department charging denial of registration rights to Negroes, here the way was paved for further action in higher courts. Negroes do not feel the case is lost; merely delayed temporarily.

The judge did not rule on the merits of the case, but tossed it out on a legal technicality. The Justice Department immediately noted an appeal, which automatically goes to the Fifth Circuit Court of Appeals, based in New Orleans.

In dismissing the suit, Judge Davis held the suit sought to have the Justice Department encroach upon certain rights belonging to the states. Georgia segregationists hailed it as a victory for "states' rights."

MOREOVER, in October, 1945, in ruling on the Primus E. King case which knocked out the "white primary" in Georgia, this same Judge Davis had held that particular state operation fell under jurisdiction of Federal laws.

He ruled then, that the refusal to let Rev. Mr. King, a Negro, vote in the Democratic primary, "deprived him of a right secured to him by the constitution and laws of the United States, and was in violation of the 14th, 15th and 17th Amendments."

Judge Davis ruled then, that an act by the Muscogee County Democratic executive committee in barring Rev. Mr. King, "was an action by the state of Georgia, acting through the Democratic party as its instrumentality."

The local case could be considered, in a sense, a parallel.

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NEGRO CITIZENS, arbitrarily denied the right to register because of their race, included four teachers and a Marine Corps employe. All lived in Dawson at the time of the incident. They were:

Mrs. Edna Lowe, math teacher at Carver High School, Dawson, holder of a B.S. degree and the M. A. degree in education from NYU; Miss Jane Breedlove, Terrell County elementary school teacher, with a B.S. degree from Albany State (Ga.) College; Davey L. Gibson, Terrell County teacher—now at Zebulon, Ga.—with a B.S. degree from Albany State, and work towards the M.A. at NYU, and Mrs. Grace Boyd Gibson, Calhoun County elementary teacher with the B.S. degree from Albany State.

The Marine Corps employe is Eddie G. Lowe, who attended Tuskegee Institute, and works at the Marine Corps Supply Center at Albany, Ga. All were rejected for registration because of certain alleged educational deficiencies. The teachers were alleged to be unable to read correctly, and intelligently. Mr. Lowe, allegedly, couldn't write correctly and legibly.

■

THE SUIT WAS filed against the Terrell County Board of Registrars, whose members include the state's present Commissioner of Revenue, Dixon Oxford.

There have been reprisals directed towards some of those who filed the complaints, especially Mr. Gibson. The suit charged that only 48 Negroes out of 5,036 of voting age were registered in 1956, as compared with 2,697 whites registered out of 3,233 of voting age.

In August of 1958, a Federal grand jury in the Middle District of Georgia refused to indict three local policemen on charges of killing two Negroes, shooting one and beating two more in a wave of terrorism that swept this area. The Justice Department had asked the indictments after an FBI probe and three days of testimony before the grand jury.

Counsel for the registrars included Jewish Lawyer Charles J. Bloch of Macon, Ga., considered top-level brain for segregationists in Georgia and Alabama. Mr. Bloch was the losing defense counsel in the Primus King case before this same Judge Davis in 1945.

Throws Out Voting Suit Citing Bias

Notes Discrimination Of Registrars, But Calls Law Too Broad

MACON, Ga. — (UPI) — A federal district judge has ruled an injunction clause of the 1957 Civil Rights act unconstitutional and thrown out a suit charging the Terrell County, Ga., board of registrars with discriminating against Negro voters.

Judge T. Hoyt Davis of the Middle Georgia District court ruled that the injunction power granted the U. S. attorney general might be used against private citizens as well as state officials, and thus usurped authority reserved for the states.

DAVIS VOIDED an injunction that had been issued against the Terrell county board at Dawson, Ga., last year in the first suit filed under the 1957 act setting up the U. S. Civil Rights commission.

He asserted the registrars were acting under color of law in disqualifying a number of Negro applicants seeking to register as voters, and thus their acts represented state action.

BUT HE HELD that the federal law was worded so broadly that the attorney general also might bring similar injunctions against persons acting solely in an individual capacity, and this would be usurping authority reserved for the states under the constitution.

The injunction had been sought by Attorney General William P. Rogers on the basis of a 1956 complaint that only 48 Negroes out of 5,036 of voting age were registered in Terrell county, compared to 2,697 white registered voters among 3,233 of voting age.

THE INJUNCTION sought would demand registrars apply equal qualifying standards to both white and Negro applicants.

"This court has never and shall never condone violation of the constitutional rights of any person by state officials or private citizens," Davis wrote in his 22-page opinion.

"On the other hand, this court is also sensitive to the dual sovereignty system of government under which we operate and is sincerely devoted to its preservation.

"IT IS THIS court's considered opinion that this statue would allow the attorney general to seek an injunction against a private citizen for an individual act, divorced completely from state action.

"It is the province of the several states to protect rights of one citizen against the wrongful practices of another person."

THE 1956 complaint brought out the fact that the Terrell board disqualified four Negro college graduates on grounds they could not meet qualifications that included a literacy test.

James Griggs Raines, chief registrar for the Southwest Georgia county, said in partial explanation that each of the four had pronounced the word "equity" with a long "e" when they appeared before him.

RAINES ALSO asserted the professor could not read selection from the constitution dealing with the functions of the Supreme Court "so I could understand."

GEORGIA UNIT VOTE IS FACING CHANGE

Governor and 2 Senators Endorse Greater Primary Voice for Urban Areas

By CLAUDE SITTON
Special to The New York Times

ATLANTA, April 8—A proposal to give Georgia's urban areas a greater voice in primary elections has been endorsed by the Governor and both the state's United States Senators.

This support for a change in the controversial county unit system marked a sharp reversal of the previous stands taken by Governor Ernest Vandiver and Senators Richard B. Russell and Herman E. Talmadge.

The switch apparently grew out of a belief that the system in its present form could not withstand another challenge before the United States Supreme Court, regarded as certain to come next year.

Under the present method of counting votes in the Democratic primary, tantamount to election in one-party Georgia, a vote in the least populous county equals 265 votes in the county with the largest population.

Under the system the eight counties with the largest area have six units votes, the thirty next largest, four and the remaining 120 have two unit votes each.

Plularity Winner Can Lose

A primary candidate receives the units of only those counties in which he wins the greatest number of popular votes. Thus he may poll a plurality in the total state-wide vote and still lose the nomination, as happened in the 1946 gubernatorial primary.

The system ha sassured the predominance of rural areas in politics and thus has tended to give government a far more conservative tone than would be the case if officials were elected by popular vote.

The change in strategy was signaled last night on a television panel by Senator Talmadge, who once backed an unsuccessful attempt to make the unit system applicable to general election.

He noted that the Supreme Court had refused last year, by a 5-to-4 division, to accept jurisdiction of a suit brought by Atlanta Mayor William B. Hartsfield challenging the unit system.

"Since that time," the Senator said, "one of the majority members of the court has retired and another judge has been appointed in his place. We don't know what the court would rule at the present time."

Readjustment Likely

Mr. Talmadge was then asked if he foresaw any need to modify the unit system. He replied:

"I think it is entirely possible that the Legislature will study that question. It's not only possible but even probable that some readjustment would perhaps be wise."

Senator Russell, reached by telephone at his home in Winder, Ga., also conceded that some modifications of the system was needed. He emphasized that he spoke merely as a "citizen of Georgia."

He declared that he was opposed to taking such action in anticipation of an adverse Supreme Court ruling.

Mr. Russell contended that the Democratic primary was merely a nominating device and asserted that "our county unit system is infinitely better than the nominating conventions used in some other states."

Governor Vandiver indicated his agreement in a statement issued here at his office.

"I share Senator Talmadge's view in regard to the county unit system," the Governor said, "that the people of every county in Georgia must continue to have an effective voice in the selection of state officials and that the county unit system must be preserved in Georgia."

Meanwhile, Mayor Hartsfield declared that any modification of the system would have to be substantial to forestall another attempt to strike it down in the courts.

High Court To Review Vote Ruling

WASHINGTON (AP) — The Supreme Court Monday agreed to review a Georgia federal judge's decision that portions of the 1957 Civil Rights Act are unconstitutional.

The decision by U.S. District Judge T. Hoyt Davis in Macon

Justice department files suit to halt removal of Negroes from vote rolls in Louisiana county, Page 2.

was appealed by the Justice department which contended Davis went far afield in his ruling.

The case will be argued next fall.

Davis' ruling was in the first case filed by the Justice department under provisions of the 1957 act aimed to protect voting rights. The government's petition charged the voting registrars of Terrell County discriminated against qualified Negroes who wished to get on the voting rolls.

Davis dismissed the petition and ruled portions of the act invalid because they gave the attorney general authority to seek injunctions not only against state officials but private citizens as well.

"It is the province of the several states to protect rights of one citizen against wrongful practices of another," Davis said. "Congress should not be allowed to extend the authority of the federal government into this field."

'PATENTLY ERRONEOUS'

The Justice department's appeal said the act if properly construed applied only to official actions and no private citizen was involved as a defendant in the Macon suit.

"The constitutional question considered by the district court was not presented to it for decision by the record of this case," the appeal added. "Its sweeping adjudication of unconstitutionality was thus not only patently erroneous but entirely gratuitous.

"It is not the function of the courts to conjure up remote, hypothetical situations to which the statute conceivably might be applied — and if so applied, might be unconstitutional."

RIGHTS LAW IN VOTE CASE

Court Will Act On Appeal Of U. S. Attorney General

WASHINGTON (UPI)—The U.S. Supreme Court agreed Monday to rule on the constitutionality of a 1957 civil rights law section used for the federal suit against the Terrell County, Ga., board of registrars.

The U. S. Justice Department sought to stop the registrars at Dawson, Ga., from discriminating against Negro voters.

Federal District Judge T. Hoyt Davis at Macon threw out the suit last April on grounds that the section is void because it would permit the federal government to injoin private, as well as official, actions.

U. S. Atty Gen William P. Rogers appealed directly to the Supreme Court, charging Davis went out of his way to find fault with the law since Davis admitted the suit involved official action.

SUIT AGAINT OFFICERS

"The suit was one against state officers, not private individuals," Rogers said. " ..As applied here, the statutory provisions are plainly constitutional."

The suit was brought against James Griggs Raines, Dixon Oxford and Roscoe Radford, as registrars, and Mr. and Mrs. F. Lawson Cook Sr., deputy registrars.

The suit charged the defendants discriminated against Negroes in some instances by refusing college students the right to vote.

Negroes were usually tested by being asked to explain sections of the state and federal constitutions that were read to them.

The Terrell County suit was one of three that have been brought since the controversial act was passed by Congress in 1957.

NEW SUIT FILED

A suit was brought some time ago in Macon County, at Tuskegee, Ala., and a suit on behalf of Louisiana Negroes was filed Monday in the federal district court at New Orleans.

The law was passed after much debate, most of it centering on a proposed section that would have enabled the federal government to bring school integration suits on behalf of Negro parents.

That proposed section was stricken by the Senate but a House judiciary subcommittee has now approved a new bill containing such a provision. A Senate judiciary subcommittee has disapproved of the idea.

The Macon County suit in Alabama was dismissed by Federal District Judge Frank M. Johnson Jr., of Montgomery, on grounds that the registrars named as defendants had all resigned.

The Fifth Circuit Court of Appeals in New Orleans upheld the Alabama judge and the U. S. Supreme Court is expected to rule on the case after its new term starts in October.

JUNE TRIALS LIKELY

Written Briefs Asked In Georgia Vote Suit

AMERICUS, Ga. (AP) — U.S. District Judge T. Hoyt Davis Monday heard oral arguments then called for written briefs on a federal civil rights suit against Terrell County registrars on Negro voter qualifications.

The court allowed attorneys for the registrars 20 days to mail their briefs to Macon, Ga. He allowed the government 15 additional days to reply. It thus appeared that the first voter suit brought under the 1957 Civil Rights Act would not come to trial before the June term of court.

The suit asks an injunction against any discrimination by the voter registrars because of applicants' race or color. It alleges that five college-educated Negroes were so discriminated against April 7 and deserve enrollment as voters.

Robert Brooks of Kaufman, Texas, a federal civil rights attorney, declared in oral argument that the government does not seek to compel the registration of anyone — only "restraint of illegal practices." He added that there is no effort to interfere with refusal on legitimate grounds to register applicants.

He thus replied to arguments by Charles J. Bloch of Macon, representing the registrars, that the government sought a direct court order for the registration of the five Negroes. Four of them are school teachers, one with a master's degree.

Bloch told the court that the government's suit would set the court up as a sort of supervisory board of registrars over the county officials. The attorney assailed the civil rights act as evil in design and unconstitutional.

Even if the act should be held constitutional, he maintained, the suit was improperly brought in contradiction of several constitutional provisions.

Brooks' rebuttal to the defense argument gave numerous citations which he contended clearly establishes the constitutionality of the 1957 act and the legality of the Georgia suit.

STUDENTS ON THEIR WAY TO REGISTER TO VOTE — Price High School students check with Principal R. E. Cureton before boarding a bus to the Fulton County Courthouse where they registered to vote last week. They are among hundreds of 18-year-olds now expressing their first citizenship duty — registration to vote. Looking on is L. Z. Hood, an instructor and assistant at the school.

6,300 Ga. Voters Face Ballot Loss

BY ERNESTINE TURPIN

COLUMBUS, Ga. — An estimated 6,300 Muscogee County voters face the possibility of being dropped from the Muscogee County voters' registration list on April 1, according to the county board of registrars.

The 6,300 voters have not exercised their rights to vote during any state or county election in 1958.

It is generally assumed that the bulk of these voters are Negro, and this assumption prompted the action of the Rev. Primas E. King to get as many Negroes of the area who had received their cards asking them to apply to the board for the continuance of their names on the voter lists.

THE REV. PRIMAS KING is one of the leaders responsible for the success in obtaining the rights for Negroes to register and vote in the valley area. He is looked upon as one of the Negroes who opened the way for extensive Negro registration in the South.

The Rev. Mr. King voiced the opinion that lack of interest was the main reason for many not going to the polls, and that with the possibility of being dropped from the voters lists, these same persons will think that there is some fee to be paid for being kept on the lists and still will not go.

For this reason, he wishes to state there is positively no charge for inquiring concerning voting status and all persons in doubt should report to the board of registrars before April 1.

Vote in Telfair Sold For $3, Board Told

By GENE BRITTON

The State Merit Board got a close look into Telfair County's colorful two-party politics Wednesday and heard testimony that one state employe tried to buy a vote for $2.

But the vote didn't go for $2, a witness told the board. He said it took $3 to get it.

The board Wednesday heard a long line of Telfair witnesses charge five of their fellow countians—all state employes—with politicking in violation of State Merit System rules. Another long line of witnesses swore the charges were false.

Complainants are members of what's known in Telfair County as "the New Crowd," while the five state employes are supported by "the Old Crowd" or "the Courthouse Gang," testimony indicated.

J. O. Towns of Rte. 1, Lumber City, said he was at the Neely District polls on the day of the Sept. 10 Democratic primary and overheard Allie Williams, one of the defendants, offer a voter $2 for his vote.

He said the voter told Williams he wouldn't sell his vote for $2, and Williams whispered: "I'll give you three."

Towns later said the vote went for the $3 bid.

When Towns was under cross examination, McRae attorney Preston Rawlins, representing the defendants, asked him:

"Don't you know there hasn't been a vote bought for $2 in Neely District in 15 years?"

"Yessir, he didn't get it for $2," Towns replied. "He got it for $3."

Williams, L. G. Reaves, Mrs. Maude Walker Williams, Jackson Cravey and Malcolm Varnadoe are the state workers charged with using political influence in the Sept. 10 primary in violation of Merit Rules.

Three different witnesses testified Varnadoe was warned before the primary that if he participated in the primary, other than as a voter, he would be brought before the Merit Board.

C. C. Cook, an unsuccessful candidate for Telfair County Democratic Executive Committeeman in the primary, told the board he warned Varnadoe and that Varnadoe replied:

"I don't give a damn about the Merit Board. If they fire me, I'll be put back on after the first of January and draw my back pay."

Towns and J. J. Riles testified to the same incident.

Several witnesses said they saw various defendants talking to voters as they approached the voting place.

But under Rawlins' cross examination, none of them could swear that the defendants had been talking politics.

One witness, Howard Spires, told complainants' attorney William T. Whatley he saw L. G. Reaves, a Revenue Department employe, help mark 30 or 40 ballots at the Cobbville district.

L. L. Hart, another witness said he observed Reaves on some occasions going into the voting booth and leaving the voter standing outside. He said Reaves would put part of the ballots in the ballot box.

Rawlins asked Hart to name some of the voters who received help from Reaves. Hart said he wouldn't try. "I didn't think you would," Rawlins said.

Witnesses called by Rawlins in rebuttal testified that Reaves had been sworn in as a deputy sheriff for the election.

Testifying for the defendants, Telfair Sheriff John B. Walker said prior to the primary he had a call from then Gov. Marvin Griffin.

He said Griffin told him some of the "new party" had called on him for assistance in the election. The sheriff said he told Griffin that with the help of two GBI agents stationed in the county "we could handle any trouble."

He said he had word that there would be trouble and that he had sworn in Reaves and others as deputies to help maintain order at the polls.

Whatley called other witnesses who testified the defendants "hung around the polls" all day, provided vehicles for transporting voters to the polls and solicited votes.

The hearing is expected to continue Thursday. Wednesday was the second time it had been scheduled. Joe Thomas, special hearings officer for the board, took testimony from the complainants at an earlier hearing. The defendants walked out of that hearing, however, demanding to be heard by the full board.

Staff Photo—Charles Jackson

DEFENDANT LISTENS WITH ATTORNEYS TO TELFAIR CHARGES

L. G. Reaves and Attorneys Charles C. Cooker and Preston Rawlins

Staff Photo—Charles Jackson

TELFAIR COUNTY POLITICS UNDER PROBE

L-R: Defendants Varnadoe, Williams; Witness Raz Williams

Registration Efforts Will Be Increased

An intensified drive to register Atlanta and Fulton County citizens will take place through the month of April.

Precinct leaders and block workers met Tuesday night in a workshop at the Butler Street YMCA, where directors of the All-Citizens Registration Committee outlined the drive for intensified canvassing and getting people to the Courthouse to qualify to vote.

The precinct workers, according to Chairman Jesse Hill, are to meet next week to appraise reports of area canvassing and needs, and to receive further instructions. They were especially urged to form car pool committees within precincts, in order to get the unregistered to the Courthouse. Persons needing transportation there were asked to contact the Registration office at 236 Auburn Avenue, N.E., Ja. 2-2516, where instructions may be secured.

Persons who cannot go down to the Courthouse except in the evenings or on Saturdays were urged to inform the Auburn Avenue Registration office in order that arrangements may be made with the Fulton County Registrar.

New Intimidations Break Out in Ga.

By TREZZVANT W. ANDERSON
(Courier Roving Reporter)

DAWSON, Ga. — Embattled Dawson has again become the scene of intimidations of Negroes by prejudiced whites, apparently growing out of recent disclosures of vote denials, police brutality and a recent Federal Court civil suit over voting rights.

● Negro farmer-businessman Jim Harry Gibson, father of one of the plaintiffs in the Federal Court action, has become the victim of what many here believe to be a frame-up in an effort to "get back at" the son through the father. The son is Davey L. Gibson, who teaches at Zebulon, Ga.

The elder Mr. Gibson is awaiting trial on charges of receiving stolen goods as a result of a friendly gesture to an allegedly "needy" ..Negro man sometime ago. This Negro came to Mr. Gibson's barbershop and said he was in dire straights, but wanted to get a haircut and borrow a couple of dollars. In return, he said, he would leave his overcoat with Mr. Gibson and redeem it later.

MR. GIBSON agreed to help the man and the overcoat was left with him. Later police arrested Mr. Gibson and charged him with receiving stolen goods —the overcoat. He was jailed and bond set at $1,000 which the son agreed to secure. When bail arrangements were made, Mr Gibson was still kept in jail for questioning.

● Later, he was released and after witnesses to the incident said they heard the Negro's proposal to Mr. Gibson and that Mr. Gibson didn't know the overcoat was stolen, the charge was apparently changed and Mr. Gibson was accused of stealing a valuable paper from the overcoat pocket. This paper has not been identified.

Meanwhile, the elder Mr. Gibson had already been refused the privilege of buying a tractor and other supplies for his farm. He was also refused a loan, but went to Atlanta where the Citizens Trust Company made the loan. He then bought a tractor at Americus, but the seller from that city later came back with the money paid and returned it to Mr. Gibson, after deducting part for "use" of the tractor.

ALL THIS OCCURRED after it was known that Mr. Gibson's son was a plaintiff in the Federal suit.

Trial of the case against Mr. Gibson will probably be held during the next term of Terrell County Superior Court. Judge of this court is Judge Greer, who said last year he would jail any FBI agents who entered the county seeking data on vote denials or any NAACP official who came there.

Meanwhile, another well-known Negro farmer, G. A. Pullam, was turned down in an effort to buy seed and fertilizer for his farm in Dawson. The undertaker who handled the body of Willie (Countryman) Brazier, shot and killed by local police last year, has also had to close his establishment and operate his business from his home.

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IT HAS BEEN REPORTED that Policeman Cherry who was involved in the brutality charges has been accused of brutality toward some white boys, one of whom he allegedly beat so badly that hospitalization was required. A civil suit is expected in this case.

● Terrell County has a population of some 20,000 which is 65 per cent Negro, with only 481 Negroes registered out of 4,418 eligibles.

General speculation here is that the "needy" Negro was encouraged to do what he did in an effort to strike at the Gibson family because of the Federal vote denial suit.

Tensions have increased here since a Federal judge refused to dismiss the suit which was filed by the Department of Justice.

Civil Rights Test In Georgia Today

Negro Voting Case To Open In Federal Court

The Commercial Appeal-Chicago Daily News Service

WASHINGTON, Jan. 25.—The Justice Department makes the first major test of the 1957 Civil Rights Act Monday in the case of the Georgia voters quiz.

The drama is scheduled to open in the Federal courtroom at Americus, Ga. There Government attorneys will tell the judge that there's no reason to dismiss their case against the election registrars of Terrell County, Ga.

The Government took the initiative by asking the court for an injunction to prevent the county's registrars from discriminating against Negro voters.

The Government's action is authorized by the new Civil Rights Act. This is the first such case. Lawyers for the registrars asked the Government to dismiss it.

The Government charges that last April the registrars "arbitrarily and solely for racial reasons" flunked four Negro teachers on their registration literacy tests.

Two of the four hold master's degrees. The other two hold bachelor of arts degrees. A fifth Negro, who had attended college, was also unfairly rejected, according to the Government.

To pass the literacy test in Georgia, an application must read and write correctly a section of the constitution of the state or the United States.

The Justice Department charges that 12 other Negroes were deprived of their rights when the registrars delayed 10 weeks to 29 months in giving them tests for qualification without literacy.

Georgia law provides a test for "understanding of the duties of citizenship" for voters who choose not to try the literacy test.

Atlanta Vote Move Showing Momentum

ATLANTA, Ga.—With things just getting into high gear, the registration drive among Atlanta's Negroes is already showing solid results.

More than 1,000 Negroes were registered during January as a result of the effort, reports showed.

The drive lasts until May 1, and a target of 50,000 registered Negro voters in Atlanta has been set by the special All-Citizens Registration Committee, which is conducting a systematic block-to-block precinct campaign to get Negroes registered.

IT WAS THE report of Jesse Hill, chairman of the All-Citizens Registration Committee, which showed the thou. nd new registrants in January.

The campaign has been carefully planned and is being executed on systematic lines with many volunteer workers in the various precincts adding their efforts to build a heavy Negro vote in Georgia's capital city.

It has been emphasized that the registration drive is non-partisan and aimed solely at getting Negroes registered to vote. Many civic and educational organizations are helping the campaign along with many volunteers from the top local colleges and universities in the area.

Headquarters for the drive is at 236 Auburn Ave., NE.

NEGRO VOTE QUESTION

Georgia Suit May Test U.S. Civil Rights Laws

AMERICUS, GA. (AP)—Legal action which may test the 1957 Federal Civil Rights Act is scheduled for U.S. District Court Monday in a preliminary hearing on a suit to force registration of Negro voters.

The hearing, before Judge J. Hoyt Davis, is on a motion of Terrell County, Ga., voter registrars to throw out the suit as illegally brought.

The outcome will be watched closely, particularly in Congress where new civil rights legislation is pending. Advocates of both milder and stronger laws will want to see how the 1957 act stands up in usage.

W. Wilson White, a Pennsylvanian who heads the Justice Department's new civil rights division, filed the action in Columbus, Ga., Sept. 4.

It seeks court orders banning any discrimination against would-be Negro voters and, specifically, against refusal to register five college - educated Negroes as voters.

The five includes four school teachers—Edna Mae Lowe, Janie Breedlove, Davey Louis Gibson and Grace Boyd Gibson. At least one, Mrs. Lowe, has lost her job since the suit was filed. She holds a Master's degree from New York University and Davey Louis Gibson is working on such a degree. All are college graduates.

The non - teacher is Eddie George Lowe, employed at the U.S. Marine Corps Supply Center at Albany, about 25 miles from Dawson, the Terrell County seat. He attended Tuskegee Institute.

The five were refused registration to vote April 7 on the grounds that they could not read or write correctly. James Griggs Raines, chairman of the registrars, said Eddie Lowe could read all right but could not write correctly or legibly.

He said none of the teachers could read so that he could understand them. Everyone, he added, pronounced "equity" as "ee-quity."

The government alleges in effect that this is all nonsense, that the five are amply qualified to vote and are being discriminated against because of race and color.

In asking dismissal of the suit, attorneys for the registrars contend that the 1957 act is unconstitutional in vital provisions. They say the action itself is an invasion of state sovereignty in that it was brought against the state without state consent.

The government in reply argued that the suit is not against Georgia or its laws but against the way certain officials are carrying out the laws.

The Georgia suit is the first brought under the new Civil Rights Act to force voter registration. It differs from proceedings in Alabama in that it asks the court to order Negro voters enrolled while the U.S. Civil Rights Commission in Montgomery only seeks information on Negro voting.

Ga. Youths Active At Registration Meeting

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The following temporary county chairman were selected to call together "interested citizens" for establishing registration coordinating groups: J. H. Deadwyler, and Miss Eula Jackson (youth), Jackson; W. W. Chamblee, Hall; C. H. Hunt, Gordon; J. M. Moody, Houston; Rev. J. W. Cook and Miss Charlie Mae Bullock (youth) Cobb; George N. Ham and Miss Dorothy Hall (youth), Rockdale; John Shanks, DeKalb; Jesse Hill, Jr. and Miss Alice Brown (youth), Fulton. Campaigns have already started in Fulton and DeKalb counties.

Prince Hall Grand Master John Wesley Dobbs of Atlanta, Chairman of the Statewide Registration Committee, delivered an address to the youth group and another to the general assembly of the Clinic, showing the importance of voting as the basis of good citizenship. Discussion leaders, who emphasized the necessity for county organization to obtain best results were: Misses Ola Adams, Nadine Barlow, Dianne James, Patricia Jenkins, Ora Jean Stephens, Mrs. Maggie Howard Mrs. Dena Reynolds, Mrs. Paul Jones, James Gardner, Rod Harris, Thomas Harris, Ira Harrison Robert Norwood, Sr., Oliver Powell, Jr., R. C. Reynolds, Otis Riley, Dr. George A. Sewell, James Shaw and Dr. John Tilley, all of Atlanta. Miss Mary Rogers and Joseph Phinaze of Atlanta served as registrars.

YOUTHS LEAD CITIZENSHIP CLINIC — Youths from five high schools and three colleges in the Fifth, Seventh and Ninth Congressional Districts of Georgia took leadership in a recent Citizenship Clinic sponsored by the Statewide Registration Committee. Twelve counties were represented on the program of the Religious Education Building of Wheat Street Baptist Church. — (Photo by Kelly).

NEGRO VOTE QUESTION

Georgia Suit May Test U.S. Civil Rights Laws

AMERICUS, GA. (AP)—Legal action which may test the 1957 Federal Civil Rights Act is scheduled for U.S. District Court Monday in a preliminary hearing on a suit to force registration of Negro voters.

The hearing, before Judge J. Hoyt Davis, is on a motion of Terrell County, Ga., voter registrars to throw out the suit as illegally brought.

The outcome will be watched closely, particularly in Congress where new civil rights legislation is pending. Advocates of both milder and stronger laws will want to see how the 1957 act stands up in usage.

W. Wilson White, a Pennsylvanian who heads the Justice Department's new civil rights division, filed the action in Columbus, Ga., Sept. 4.

It seeks court orders banning any discrimination against would-be Negro voters and, specifically, against refusal to register five college - educated Negroes as voters.

The five includes four school teachers—Edna Mae Lowe, Janie Breedlove, Davey Louis Gibson and Grace Boyd Gibson. At least one, Mrs. Lowe, has lost her job since the suit was filed. She holds a Master's degree from New York University and Davey Louis Gibson is working on such a degree. All are college graduates.

The non - teacher is Eddie George Lowe, employed at the U.S. Marine Corps Supply Center at Albany, about 25 miles from Dawson, the Terrell County seat. He attended Tuskegee Institute.

The five were refused registration to vote April 7 on the grounds that they could not read or write correctly. James Griggs Raines, chairman of the registrars, said Eddie Lowe could read all right but could not write correctly or legibly.

He said none of the teachers could read so that he could understand them. Everyone, he added, pronounced "equity" as "ee-quity."

The government alleges in effect that this is all nonsense, that the five are amply qualified to vote and are being discriminated against because of race and color.

In asking dismissal of the suit, attorneys for the registrars contend that the 1957 act is unconstitutional in vital provisions. They say the action itself is an invasion of state sovereignty in that it was brought against the state without state consent.

The government in reply argued that the suit is not against Georgia or its laws but against the way certain officials are carrying out the laws.

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YOUTHS LEAD CITIZENSHIP CLINIC — Youths from five high schools and three colleges in the Fifth, Seventh and Ninth Congressional Districts of Georgia took leadership in a recent Citizenship Clinic sponsored in Atlanta by the Statewide Registration Committee. Twelve county representatives on the North Georgia Education Building of the Religious Wheat Street Baptist Church. — (Photo by Kelly).

Plea to Drop Vote Action Nears Trial

AMERICUS (AP) — A hearing on a motion to dismiss the first Negro voting rights suit filed under the 1957 Civil Rights Act is scheduled to start in U.S. District Court in Americus next week.

The hearing was originally set for Jan. 19, but was postponed until Jan. 26 by mutual agreement of the justice department of the federal government and attorneys for the Terrell County Board of Registrars.

The motion to dismiss was filed by attorneys Charles J. Bloch of Macon, Robert I. Russell Jr. of Winder, and Peter Zack Geer of Colquitt.

The motion contended that portions of the 1957 Civil Rights Act were "unconstitutional and void."

The government suit contended that four Negro school techers, all college graduates, were qualified to vote in Terrell County and were discriminated against because of race and color.

Members of the county board of registrars said that the Negroes were not qualified to vote because they took an educational test and failed.

The Civil Rights Act was passed during the 85th Congress. It set a maximum fine of $1,000, six months in prison, or both, on conviction.

Written Briefs Asked in Civil Rights Action

AMERICUS, Ga., Jan. 27 (AP) — Federal Judge T. Hoyt Davis has called for written briefs in a civil rights suit against Terrell County registrars involving Negro voter qualifications.

Judge Davis yesterday heard oral arguments in the suit filed in September by the Federal Civil Rights Commission which asks court orders to end alleged discrimination against Negroes who want to vote.

The suit particularly asks that the alleged discrimination end against five college-educated Negroes, four of whom are school teachers.

Attorneys for the registrars of the South Georgia rural county petitioned United States District Court to throw out the suit on grounds that the Civil Rights Act was unconstitutional and that the action was brought illegally.

Judge Davis listened to oral arguments at yesterday's hearing on the motion to dismiss, then asked for written briefs.

He allowed the registrars, represented by Attorney Charles J. Bloch of Macon, 20 days to file and the Government, represented by Federial Civil Rights Attorney Ben F. Brooks of Kaufman, Tex., 15 days to answer.

That would delay at least 35 days—perhaps longer—any decision by the judge on the motion.

If in deciding the court should deny the motion, the defense would have another 10 days to file an answer. Some time after that a date would be set for actual trial of the civil rights suit. The best guess was that the trial would not come before a June term of United States District Court.

By that time Congress may have agreed on a new civil rights bill.

Trial for Georgia Voting Violations Hits Legal Snag

Americus, Ga. — When attorneys asked for a dismissal Monday, the first federal trial of allegedly voting discrimination received its first major setback. The trial, brought by the U.S. Civil Rights Commission on behalf of four Negroes, was made possible under a 1957 civil rights act.

It was speculated that the legal move would cause delay that might run beyond the time for enactment of a new civil rights act which is pending in congress.

4 Negroes

The case was filed in September by the justice department based on charges of four Negroes that they were flunked on their registration literacy tests. Two of the four hold master's degrees; the others hold bachelor of arts degrees.

To pass the literacy test in Georgia, an applicant must read and write correctly a section of the constitution of the state or of the United States.

BE PREPARED

TO SHARE YOUR PART OF RESPONSIBILITY

If you are 18 years of age or have not voted in the past two years

REGISTER TO VOTE

AT COURTHOUSE ANNEX
(First Floor at the Right)
165 CENTRAL AVE., S. W.

A few additional minutes spent to get REGISTERED while you are at the Court House to get your auto license or give in your tax returns, will be time well spent.

PROPER USE OF THE BALLOT CAN HELP SOLVE PROBLEMS AND OPEN NEW OPPORTUNITIES.

— Sponsored By —

ALL-CITIZENS Registration Committee
Office Phone — JA. 2-2516
236 Auburn Ave., N.E.

Registration Of Atlanta Negroes On The Increase

Atlanta Negroes registered to vote in larger numbers during January than in any other similar period of registration, the Frontiers were informed Tuesday.

Jesse Hill, chairman of the All-Citizens Registration Committee, reported that over a thousand names had been added to the Fulton County voters list in January.

According to Mr. Hill, this monumental work in the drive which continues until May 1 was the result of the following: 1. The efforts of the Organizational Committee, of which Clarence Coleman is chairman; 2. The involvement and productive work of new people and neighborhood clubs and organizations in the drive; 3. The Courthouse registration work of volunteer persons from schools and colleges who have buttonholed unregistered auto license tag buyers and tax returnees; 4. The continuing solicitation by precinct workers in door-to-door, school and church campaigns.

Mr. Hill was presnted to the Frontiers by Clarence Coleman, who pointed out that the registration effort is non-partisan and non-political, simply an effort to get citizens to perform thir first duty in registering to vote. Members of the Frontiers, who already had given money and time to the registration effort, promised to increase their contribution.

Leaders From Six Georgia Counties

Plan Increased Voter Registration

Adult and youth leaders from six counties in the Fourth Congressional District of Georgia attended a Citizenship Clinic in the Mt. Zion Baptist Church, Griffin, Ga., to discuss techniques for increasing voter registration in their respective counties.

The Clinic was the first of a series, running through March 21, 1959, being conducted by the Statewide Registration Committee of Georgia, of which Masonic Grand Master John Wesley Dobbs of Atlanta, is chairman. A. C. Touchstone, Manager of the Griffin District, Atlanta Life Insurance Co., served as co-ordinator of the Clinic, assisted by Rev. O. H. Stinson, pastor of Mt. Zion Baptist Church.

One of the features of the workshop sessions was youth participation, under direction of Thomas Harris, Chairman of the Youth Division of the statewide committee. Four counties: Spalding, Lamar, Butts and Henry, sent both youth and adult delegates, whereas Merriweather and Clayton counties sent adults only.

DELEGATES FROM SIX GEORGIA COUNTIES in the 4th Congressional District, who attended a day-long Citizenship Clinic in Griffin, Ga., February 7. Sponsored by the Statewide Registration Committee, John Wesley Dobbs, chairman, in the interest of increasing voter-registration, youth and adult citizens spent the day discussing organization and promotion techniques. A. C. Touchstone, of Griffin, served as co-ordinator of the Clinic, assisted by Rev. C. H. Stinson, pastor of Mt. Zion Baptist Church, where the sessions were held.

Southern Negroes Urged To

Eliminate Injustice With Intelligent Use Of Ballot

By WILLIAM A. FOWLKES
(WORLD Managing Editor)

The Southern Negro Wednesday was called to do his full share in the elimination of injustice and differentials "by intelligent use of the ballot.

The call came from Dr. C. A. Bacote, professor of history at Atlanta University, who reviewed many little known events about Georgia Negroes since the Civil War, as he delivered an address to the Butler Street YMCA Hungry Club.

While much progress has been made in the last 50 years, in some areas we have not caught up with the position of the Negro during the Reconstruction period," Dr. Bacote declared. "For example, there are no Negroes in the legislature of Georgia, whereas, between 1868 and 1908, over 45 Negroes served in this capacity. We had a Negro in the U. S. Congress — Jefferson Long — who served one term, 1870-1872, but have had none since. We had Negroes to serve in various city councils, but today there are none."

The speaker noted that during the last 15 years, there has been a return of the Negro to the polls in the South; the appearance of Negroes on school boards and juries; the desegregation of public schools in Baltimore, Washington, St. Louis, Kansas City, Arlington and Norfolk, Va. and other places; the numerous court decisions upholding the U. S. Supreme Court decree of May 17, 1954 on school segregation; the defection of the border states from the cause of segregation and the opening up of many colleges and universities in the South to Negroes.

"Today," Dr. Bacote continued, "unlike the period around the turn of the century, when such schemes as Back-to-Africa, colonization and migration-to-the-North were proposed as solutions to the Negro problem, the Negro has developed a more mature view of his historic struggle for freedom.

"Furthermore, the South has changed a great deal since 1900. As long as you find white ministers who are willing to take a stand on integration, as long as there is a predominant number of white students in Southern colleges who disapprove of the race-baiting antics of their politicians; as long as you find faculty members in southern colleges who are willing to defy the so-called Southern tradition, and as long as you find a few fearless editors of southern newspapers who expose the iniquitous schemes of their state governments, then there is hope that the American creed will become a reality.

"But, we as Negroes, must do our share and the most effective way is by the intelligent use of the ballot. By so doing, we can eliminate the demagogue from the Southern political area, by joining forces with the liberal whites of the South. Also, we must remove some of our own prejudices and not look upon all white southerners as enemies. Such attitudes only widen the gulf instead of healing the breach. Let us hope that by 1963, which will mark the 100th anniversary of the Emancipation Proclamation, that America would have demonstrated to the world that the democratic creed has become a fact as well as an ideal."

The Atlanta University historian pointed out a number of residents of the city whose forbears figured greatly in the political, business and religious development in the state.

Before the start of the regular Hungry Club session, the John Hope Elementary School Playhouse group, directed by Mrs. Irene Odum and accompanied by Principal Ralph Long, presented a well taken speech chorale of "And No One Asked!" The script made a mockery of racial prejudice and discrimination.

Dr. Robert Williams of Morris Brown College, moderated the Hungry Club session.

TWO WOMEN BRIGHTEN REGISTRATION EFFORTS

By JOHN BRITTON

Some people come to the courthouse during the tax-paying season only to pay their debts to the county and the city. Before they could leave the building, however, they were charmed into the voter registration room to pay their "interest on freedom."

Two attractive women, who barely weigh 200 pounds collectively were responsible for the direction of a large amount of traffic to the registrar's office. Several workers in the registrar's office said they had not seen so much business before the women's almost single handed effort.

Big men melted under the beam of their smile; scowling men were mild as kittens, anxious to do the bidding of the two attractively young ladies who seemingly knew exactly what to say, and how to say it. The majority of the people contacted did register, and those who didn't can never forget the interest directed their way by two apparently dedicated registration campaigners.

A little five-foot two-inch energetic woman scampered about the courthouse corridors for the best part of three consecutive months, beginning in January, corralling every citizen who passed to make sure they were registered.

The dimpled smile and the energy belonged to Mrs. Jacquelyn Green, of 1359 Bernard St., N. W. Her polishedtechnique in handling perhaps 1,000 people a day to ask their registration status was described by so many as remarkable.

Shortly after that phase of the drive began in the courthouse last January, a personable young Spelman-brer co-ed, Miss Ruth Morgan, of 101 Jeptha St. S. W., joined Mrs. Green in the daily courthouse vigil. There developed a technique that perhaps could have not been equaled by anyone else. Each day at 9 a. m. the action began and at 4:30 p. m. the foot-weary day was ended, but in that interval, Mrs. Green and Miss Morgan, on many days, sent as many as 150 to 175 people through the doors of the registration office in the courthouse annex. Hundreds more were approached.

It was noted that when the two young women were unavoidably detained from their courthouse patrol, the number of people who registered that day took a jet-like dive. When they returned, the registrar's office was again filled.

Miss Morgan stood on one side of the hard, often chilly corridor, while Mrs. Green guarded the other watchfully. Anyone who walked between the two would be "covered" immediately and cordially persuaded to register.

No one escaped the one-two punch perfected by the two young women. It is doubtful if the team of Green and Morgan will soon be forgotten by the people who gazed upon their pleasant smiles and listened to that ever persistent question, "Are you a registered voter?"

Before the courthouse phase of the efforts of the All-Citizens Registration Committee, there had been a drive in local churches and city schools to boost the registration figures of Atlanta Negroes.

However, one official of the All-Citizens Registration Committee, Clarence Coleman, noted that the "most productive" phase of registration has been effected by the courthouse team of Morgan and Green.

Coleman was further quoted as saying that "without the work of these two young women,, the third leg of the registration drive could not have moved quite so smoothly."

The registration drive will continue vigorously with the organized efforts of precinct workers and a door-to-door campaign to register every eligible Negro citizen in Atlanta. The door-to-door phase opened the first day of April, and amazingly enough, Mrs. Green and Miss Morgan said they too are planning to trudge on already sore feet throughout the Westside area to persuade more citizens to register, and soon.

The courthouse vigil will continue through the month of April, manned by a group of volunteer workers. They, too, will take on the responsibility of instructing potential voters as Mrs. Green and Miss Morgan so ably did for three solid months.

Look Who's Yelling 'Keep Unit Intact!"

A few politicians of the mere obtuse variety have protested the suggestion by Sens. Talmadge and Russell that Georgia's inequitable county unit system be reformed.

These, however, who do not dwell entirely in the past are aware that what the senators are trying to do is to salvage something of the system. The Supreme Court saved it by a 5-to-4 vote on a case hastily prepared. Justice Burton, who voted with the five, has retired. Justice Frankfurter, who now is one of the real conservatives of the court, has been, as Georgia politicians know, a bulwark for the unit system each time the court has been asked to rule on it. He is approaching retirement time.

The unit system does dilute the franchise of voters in the larger counties. It does perpetuate control by the few. These facts are apparent to intelligent leadership. The suggestion for reform is simply common sense and an effort to save something of the system.

One of those who opposed was Roy Harris of Augusta, whom press stories referred to as "one-time kingmaker." Mr. Harris vigorously dissents. He wants no change. The "one-time label" which Mr. Harris wears explains him well.

We sincerely have only sympathy for Mr. Harris who has, for a long time now, been a sad and somewhat pathetic figure in the state's political picture, full of sound and fury, signifying nothing. Time was when he served as House floor leader for Gov. Ellis Arnall and led the fight for liberal reforms of that time. But for a long time now he has appeared as a negative, embittered man, living in defeat and in the past. He seems, however, to have nursed an idea that by using the racial issue in extremist fashion he might, via the unit system, yet become governor. At any rate, he is a sample of those who would not change anything.

There is no "one-time" tag on either Sens. Talmadge or Russell. If anything of the unit system is to be saved, only their plan will do it.

* * *

It perhaps was inevitable, too, that former Gov. Marvin Griffin would get into the act. He hasn't been receiving much attention these recent days except for daily headlines revealing the corruption and waste in his administration.

Former Gov. Griffin perhaps did more to discredit the county unit system than any man in its history. Elected by minority vote under the unit system itself, he and his administration are prime examples of what it produces.

"I will not trade out the people of Georgia and steal their heritages from them," shouted the ex-governor at the Brooks County Centennial celebration last night. Aside from the fact that his administration's record is the most incredibly corrupt in recent history, Mr. Griffin has little claim to the right to lead anybody anywhere these days. Much more of his type of administration would have left the state and all county governments so hopelessly bankrupt the system would have collapsed under its own weight.

Georgians are not likely to listen to this type of demagoguery again any time soon. If any part of the unit system is to be saved, it will not be Marvin Griffin who saves it. Without doubt, though, he can hasten its demise.

Voting Rights Suit Is Dismissed

Georgia Judge Tags It Unconstitutional

MACON, Ga., April 16 (UPI)—A Federal district judge today dismissed the first suit filed under the 1957 Civil Rights Act and ruled one section of the act unconstitutional.

Judge T. Hoyt Davis of the Middle Georgia District Court ruled that the act creating the U. S. Civil Rights Commission attempted to give the U. S. attorney general too much power. Davis said it tried to give the attorney general the right to issue injunctions against purely private or individual actions.

"It is the province of the several states to protect the rights of one citizen against wrongful practice of another person," he said.

Judge Davis threw out a Justice Dept. suit charging that the County Board of Registrars of Terrell County, Ga., discriminated against potential Negro voters.

He said that, although the suit was aimed at official actions of the Board of Registrars, the act's injunctive clause—under which the suit was brought—constituted a violation of states rights. He said this was so because it also provided for suits which would restrain private, individual action.

This was a contention of attorneys defending the Terrell County Board of Registrars. The Terrell suit itself was aimed at the official action, Davis said, but was brought under an injunctive clause which would permit the much broader suit which made that part of the act unconstitutional.

The Justice Dept. in Washington announced immediately that it would appeal the decision.

"This court has never and shall never condone violation of the constitutional rights of any person by state officials or private citizens," Judge Davis said. "On the other hand this court is also sensitive to the dual-sovereignty system of government under which we operate and is sincerely devoted to its preservation."

One of the main targets of the Terrell County suit was Chief Registrar James Griggs Raines who disqualified four prospective Negro voters, all college graduates, because of faulty pronunciation. The Justice Dept. sought an injunction to force the board to apply equal standards in examining both white and Negro applicants for voter registration.

Civil-Rights Suit Rejected By U.S. Judge

First Filed Under Act; One Section Ruled Void

Macon, Ga., April 16 (AP)—A federal district judge Thursday dismissed the first suit filed under the 1957 Civil Rights Act and ruled one section of the act unconstitutional.

Judge T. Hoyt Davis of the Middle Georgia District Court ruled that the act tried to give the U.S. attorney general the right to issue injunctions against purely private or individual actions.

"It is the province of the several states to protect the rights of one citizen against the wrongful practice of another person," he said.

Discrimination Charged

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Won't Condone Violations

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"On the other hand this court is also sensitive to the dual-sovereignty system of government under which we operate and is sincerely devoted to its preservation."

The suit was based on a complaint made in 1956 that there were only 48 Negro voters in the southwest Georgia County, although the county had 5,036 Negroes of voting age.

Judge Davis did not rule on the issue of whether there had been discrimination against Negroes. He confined his opinion to the injunction clause of the Civil Rights Act itself.

Youths top vote clinic

ATLANTA—Youth delegates took the lead in discussions at the Citizenship Clinic for the Fifth, Seventh and Ninth Congressional Districts of Georgia in Wheat Street Baptist Church Atlanta.

Under direction of Thomas Harris, youth chairman for the Statewide Registration Committee, sponsors of the clinic and James Shaw, youth discussion leader, both of Atlanta, they mapped out a program and selected a slate of district and county officers.

The representatives from 12 counties included students from seven high schools and three colleges. The Rev. Wm. H. Borders, pastor of the church, took an active part in hosting the workshop.

* * *

DR. C. CLAYTON POWELL, Atlanta, coordinator of the clinic, was elected district organizer for the Fifth District, Paul Kelly, Smyna, for the Seventh District and J. H. Deadwyler, Jefferson, for the Ninth District.

Youth officers elected were: Miss Helen Haynes, Atlanta, assistant state chairman; Miss Gwendolyn Mahone, Atlanta assistant state secretary; Miss Nellie Williams, Conyers, organizer, Fifth District; Miss Charlie Mae Bullock, Marietta, Seventh District Organizer; Miss Gladys Belly, Jefferson, Ninth District organizer.

John Wesley Dobbs of Atlanta, chairman of the Statewide Registration Committee, delivered a stirring address to the youth group and another to the general assembly of the clinic, showing the importance of voting as the basis of good citizenship.

Discussion leaders, who emphasized the necessity for county organization to obtain best results were:

Misses Ola Adams, Nadine Barlow, Dianne James, Patricia Jenkins, Ora Jean Stephens, Mrs. Maggie Howard, Mrs. Della Reynolds, Mrs. Paul Jones, James Gardner, Rod Harris, Thomas Harris, Ira Harrison, Robert Norwood Sr., Oliver Powell Jr., R. C. Reynolds, Otis Riley, Dr. George A. Sewell, James Shaw and D. John Tilley, all of Atlanta. Miss Mary Rogers and Joseph Phinzaee of Atlanta served as registrars.

First CRC Suit Hits Court Snag

Georgia Judge Rules Part Of Act Is Invalid

USURPS STATE RIGHTS

By United Press International

MACON, Ga., April 16.—A Federal district judge Thursday dismissed the first suit filed under the 1957 Civil Rights Act and ruled one section of the act unconstitutional.

Judge T. Hoyt Davis of the Middle Georgia District Court ruled that the act creating the United States Civil Rights Commission attempted to give the United States attorney general too much power. Judge Davis said it tried to give the attorney general the right to issue injunctions against purely private or individual actions.

"It is the province of the several states to protect the rights of one citizen against the wrongful practice of another person," he said.

States' Rights Violated

Judge Davis threw out a Justice Department suit charging that the county board of registrars of Terrell County, Ga., discriminated against potential Negro voters.

He said that although the suit was aimed at official actions of the board of registrars it constituted a violation of states' rights since it would also—under the 1957 Civil Rights Act—provide for suits to restrain private, individual action.

The Justice Department in Washington announced immediately it would appeal the decision.

"This court has never and shall never condone violation of the constitutional rights of any person by state officials or private citizens," Judge Davis said. "On the other hand this court is also sensitive to the dual sovereignty system of government under which we operate and is sincerely devoted to its preservation."

Equal Standards Asked

One of the main targets of the Terrell County suit was chief registrar James Griggs Raines who disqualified four prospective Negro voters, all college graduates, because of faulty pronunciation. The Justice Department sought an injunction to force the board to apply equal standards in examining both white and Negro applicants for voter registration.

The suit was based on a complaint made in 1956 that there were only 48 Negro voters in the Southwest Georgia county although the county had 5,036 Negroes of voting age.

Judge Davis did not rule on the issue of whether there had been discrimination against Negroes. He confined his opinion to the injunction clause of the civil rights act itself.

Court Voids U.S. Weapon In Vote Case

MACON, Ga. (AP)—A section of the 1957 Civil Rights Act permitting the U.S. attorney general to seek injunctions against violation of voting rights was declared unconstitutional Thursday by a federal district judge.

In making the ruling Judge T. Hoyt Davis dismissed a Justice Department suit against Terrell County registrars. The registrars were charged with denying Negroes the right to register and vote.

APPEAL PLANNED

Davis did not rule on the alleged violations but held the act itself is invalid and could not be the basis of such court action. The Justice Department immediately announced an appeal would be made.

The jurist said the statute involved would allow the attorney general to seek an injunction against a private citizen for an individual act, divorced completely from state action.

"It is the province of the several states to protect rights of one citizen against wrongful practices of another," Davis wrote. "Congress should not be allowed to extend the authority of the federal government into this field."

SENSITIVE TO SYSTEM

Davis said his court would never condone wrongful deprivation of the constitutional rights of any person by a state official or private citizen.

"On the other hand," he added, "this court is also sensitive to the dual sovereignty system of government under which we operate and is sincerely devoted to its preservation."

The section of the 1957 act allowing the attorney general to seek voting rights injunctions, said Davis, "is beyond the jurisdiction of Congress and unconstitutional. It is not appropriate legislation within the meaning of Section 2 of the Fifteenth Amendment to the constution of the United States."

U.S. Atty. Gen. William Rogers filed a petition for an injunction against the registrars last Sept. 4 in the Americus division of U.S. District Court. A motion to dismiss the proceedings was argued before Davis in January and he has had it under advisement since.

West Tenn. Group Launches National Appeal For Vote

Chicago Defender
Chicago, Ill.

The Haywood County Civic and Welfare League, a west Tennessee group determined to secure the right to vote for Negro citizens of that area, launched a national appeal, Tuesday, for $5,000 to continue their fight.

Carrie P. Boyd, founder-executive secretary of the Tennessee organization, cited evasive tactics used by Haywood county white officials which have prevented Negroes from voting for more than 50 years, while in Chicago to enlist support for the campaign.

In April, the league brought the Negro voter's plight to the attention of the U.S. Civil Rights Commission. The Commission has recommended that federal registrars be appointed to protect Negro citizens' voting rights.

LEAGUE OFFICERS

Officers of Haywood County Civic and Welfare League are George "Murphy" [illegible], chairman, Mrs. [illegible], corresponding secretary; Mattson Dobbs, treasurer; Mrs. Lovenia Boyd, assistant ecretary; and Sid Turner, financial secretary.

The league has gained the support of such personalities as Lt. George Lee, Republican and Elk leader; J. F. Estes, attorney; and Dr. U. Z. McKinnon, outstanding Christian Methodist Episcopal clergyman.

Boyd, a public school teacher, spearheaded the movement after he was not permitted to register in Haywood county last year. Because of his aggressiveness, he was fired from a teaching job, thus losing a possible principalship which hi mother had held for 44 years.

NEGROES LEAD POPULATION

Of 28,000 residents in Haywood county, 18,000 are Negroes. The last time that a Negro was permitted to hold public office in the county was in the early 1890s and at the close of Reconstruction.

When league member, Omar G. Carney of Stanton, sought to obtain a document of the organization's charter from the courthouse in Brownsville, Tenn., he was beaten by a white man, on Sept. 28.

The Negro citizens sent a delegation to the state capital in Nashville to demand that an election commission be appointed in Haywood county, so that qualified Negroes might register, after discovering that the county did not have such body.

Since that time, Commission members have been appointed, but still Negroes nave not been permitted to register.

Many of the Negroes who attempted to register have lost jobs, credit and have faced other economic reprisals. But they are still determined to secure their right to the ballot, according to Boyd.

Most of the expenses incurred by the league in their current fight have been borne by its officers, Boyd says. Presently, the group has a $500 deficit, it was revealed.

Uncaunted, Haywood County Civic and Welfare League plans to carry the ballot fight into the courts, if necessary, officers have announced.

Individuals and organizations desiring to make financial contributions t omovement should send them to Haywood County Civic and Welfare League, Route 1, Box 187, Stanton, Tenn.

All contributions will be acknowledged by receipt and deposited in the Tri-State Bank at Memphis, states Boyd.

City Body Hears IVI Delegation

Chicago Defender
Chicago, Ill.

Increased police and health protection for Chicago residents was recommended Thursday by the Independent Voters of Illinois.

IVI spokesmen urged the City Council finance committee to pay particular attention to these areas in their consideration of the proposed 1960 city budget.

Julian Klugman, IVI Executive Director, asked for appropriations for the Chicago Board of Health to remedy deficiencies in the city's health services proposed by the welfare council of Metropolitan Chicago.

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"This provides for the beginning of a district health center program fully staffed health clinics for preschool age children in all areas of the city where this is necessary, improvement of the dental clinic facilities in these areas and strengthening of other vital services including nutrition, health education, mental health and sanitary engineering services," said

Miss Gertrude Gorman, Field Secretary for the National Headquarters of the NAACP in New York, is conducting a highly successful membership campaign throughout the country at present. On Saturday evening, Nov. 14, Miss Gorman was guest speaker for the Evanston chapter of the NAACP at their regular monthly meeting in Ebenezer AME church auditorium. I will have complete details on this next week.

The Evanston High school's music department gift to the community this year will be in the form of two Christmas Music Festivals. Christmas Festival I will be presented Friday and Saturday, Dec. 4 and 5 in the high school auditorium with the same program being given each night, starting at 8:15 p.m.

The program will feature the girls' chorus, freshman girls' chorus, girls' choir, senior ensemble, ETHS mixed chorus, Madrigal singers, cadet band, string orchestra, chamber band and brass choir. Christmas Festival II will be given Friday and Saturday, Dec. 11 and 12, also with the same program each night. This program completely different from that of the first Festival, will feature the mixed festival chorus, male chorus, ETHS choir, senior ensemble, Mastersingers, Madrigal singers, girls' choir, concert band and concert orchestra.

There is no charge for the festivals, but admission is by ticket only. So write for your tickets right away, so that you may enjoy a most memorable evening of melody.

Sheriff Is Seeking Voter-Age Ruling

Asks Court If Those Who'll Be 18 In November Eligible for Primary

Sheriff Solon F. Russell yesterday filed suit asking Circuit Court to rule that persons who will become old enough to qualify to vote in the November election are qualified to vote also in the May primary.

In a declaration-of-rights suit, the sheriff also asked the court to hold:

1. That new voters under 21 also are eligible to serve as precinct election officers.

2. That the County Election Commission notify the sheriff by noon May 19 of the persons appointed to serve as precinct election officers in the primary to be held May 26. The suit said the commission contends it is not required by law to submit the list to the sheriff before noon May 23.

Must Serve Notices

The sheriff is required to serve each of the county's 1,832 precinct election officers with written notice of his appointment.

Commenting on the suit, Russell said at least seven days will be required for his deputies to serve the notices on the election officials. The sheriff has always received such notices at least a week before the primary-election date, Russell said.

"It now develops that because of the change made in the primary-election date by the 1956 Legislature that the legal deadline for making these notices availabe to me may be three days before election day instead of seven days. In this suit, I hope to establish my right to at least seven days for service of these notices."

The suit filed by Russell's attorneys, William E. Scent and Thomas C. Carroll, seeks a ruling by the courts on both constitutional and statutory changes.

Plaintiff and Defendant

The sheriff said that since "our young people are clearly entitled to vote in the November elections, it would appear ridiculous to deny them voting rights in primary elections."

"But," he added, "according

Voter Purge To Continue In Logan

State Board Reverses Ruling By Ferguson

By HUGH MORRIS
Courier-Journal Staff Writer

Russellville, Ky., April 29 — The State Board of Registration and Purgation ordered the Logan County Purgation Board Wednesday to continue with its purge of the County's voter records.

Attorney General Jo M. Ferguson advised the local board Tuesday to stop work because it already has met more than the maximum of five days allowed by law for a purgation before a primary.

But the State board was advised by its attorney, Charles L. Hobson of Frankfort, that the five-day limitation in the law is merely directory and only imposes a limit on the number of days for which the local board may be paid.

No Limit on Meetings

"There is no reason why the local board cannot meet every hour of every day between the time the books close and May 6," Hobson said.

May 6 is the deadline imposed by law for ending all purgation work before the May 26 primary.

Hobson and Mrs. Frances Travis, assistant secretary of state, came to Russellville late Wednesday. They found that the local board and its secretarial staff had spent all morning compiling a list of 3,843 names of challenged voters for publication in Friday's local weekly newspaper, The News-Democrat.

3,843 Sent Notices

These 3,843 persons have been sent notices that they will be purged from voting lists unless they appear next Friday and prove they are valid voters.

Wednesday afternoon, the local board's staff began the task of typing challenges to 3,366 additional persons believed to have moved from one precinct to another within the county. These are being told they'll be purged unless they appear May 6 and show they are valid voters.

Hobson asked County Clerk Bailey Gunn late in the day if he would keep the clerk's office open Wednesday night so the board could resume its search for duplicate registrations by continuing to arrange the master card file in alphabetical order.

Objects to Late Hours

Gunn said he would be happy to let the board work with the master file during office hours from 8:30 a.m. to 4 p.m., but he was not willing to do so after closing hours.

Hobson reminded Gunn that the law designates him secretary to the local board and provides that the board shall have access to the registration records at all times.

Gunn said he was not a lawyer and would not want to agree to keep his office open after hours unless his attorney, Sam Milam of Russellville, advised him it would be all right to do so.

Milam, the clerk said, had gone to Nashville, but he would attempt to locate him. If Milam said to keep the office open, Gunn added, the would gladly do it.

New Staff Typing Challenges

Since the board's plan to work Wednesday night alphabetizing the master registration card was thus stopped, a new secretarial staff that came on duty at 5 p.m. went to work typing the rest of 3,366 challenges to voters who have moved within the county.

Thursday, when the clerk's office reopens, the secretarial staff will again work on alphabetizing the master file in an effort to locate duplicate registration.

Clerk Gunn readily agreed to let the board keep out, overnight, precinct registers for each of the county's 27 precincts. These registers contain copies of the master cards and are used by election officers on election day.

Voter Purge In Franklin Is Blocked

Circuit Court Acts After Suit Makes Protest

By The Associated Press

Frankfort, Ky., Oct. 30. — Franklin Circuit Court has issued a temporary order halting the removal of some 400 names from County voting lists.

The injunction followed the filing of a suit protesting the October 9 action of the Franklin County Purgation Board. It charged the board acted illegally and without authority.

The 400 names involved people who had moved to different precincts between July 23 and early September, when registration books closed.

Attorneys for those purged say the law gives the board no authority to purge voters when they had no opportunity to re-register.

Other Points Made

The suit said envelopes containing notices to those purged did not instruct postal authorities to return undeliverable notices immediately as required by law.

It also charged that the board refused to permit those appearing before it in answer to challenges to sign statements showing they had changed addresses.

And it alleged the board told many people they had forfeited their right to vote by moving from one precinct to another while registration books were closed.

The injunction will stand until after Tuesday's election unless the board takes the case to court. In the absence of a circuit judge, the Circuit Court is required to grant a temporary injunction.

La. Suit Seeks Injunction Against Civil Rights Hearing

Gremillion Asks Court to Void Monday Sessions

Attorney General Sets Week-End Strategy Talks

(Special to The Times-Picayune)

SHREVEPORT, La. — Louisiana Attorney General Jack P. F. Gremillion launched the "first aggressive action" against the United States civil rights commission by filing a petition in federal court here Friday afternoon to restrain the commission from holding hearings Monday on complaints against voter registrars in North Louisiana.

Gremillion sought injunctive relief on grounds that the commission was unconstitutionally created and the hearings would do irreparable damage to registrars and the people and laws of the state of Louisiana.

A companion suit was filed in behalf of seven persons, not registrars, by W. M. Shaw of Homer, general counsel for the joint legislative committee on segregation.

The suit alleged that the law establishing the commission was unconstitutional because it denies the registrars equal protection of the laws, denies them of the right to be informed of the nature and cause of accusation against them and denies them the right to be confronted with witnesses in their behalf in that no persons shall be compelled in any criminal case to be a witness against himself.

68 COMPLAINTS

The commission had scheduled a hearing July 15 after receiving 68 complaints from 17 North Louisiana parishes.. Registrars from each parish were subpenaed to appear and it was in their behalf that Gremillion filed the suit.

Gremillion's suit further alleged that the establishment of the civil rights commission "encroaches upon the rights reserved to the state of Louisiana."

"Let the courts decide it," Gremillion said. "The law is clearly defined; let it go through the courts. That's the democratic way to handle it."

The injunction suit maintained that the act creating the civil rights commission "violates constitutional rights and privileges granted under the Constitution of the United States." It declared that "the proposed hearing to be held in Shreveport July 15 is not based upon any specific statement of fact revealed in any of the subpenas served on the registrars and therefore violates their constitutional rights.

NAMED IN SUIT

The following commission members were named as defendants: Robert Story, of Dallas, Tex.; John Battle, of Charlottesville, Va.; Rev. Theodore S. Hesburgh, of South Bend, Ind.; Doyle E. Carlton, of Tampa, Fla.; and George M. Johnson, identified only as being from California.

The suit asked for a three-judge court to declare the law creating the commission "unconstitutional, void and ineffective in its entirety" and to relieve the registrars from having to comply with the commission or its directives.

Federal Judge Ben C. Dawkins Jr. indicated that a ruling on the injunction might be available as early as Saturday. It would not be determined whether arguments would be heard later Friday or early Saturday.

ARRIVED FRIDAY

Gremillion arrived here Friday morning to meet with north Louisiana district attorneys to map strategy for the Monday civil rights commission hearing.

"We will be ready when the hearings get under way," Gremillion said shortly after he arrived. The state's top legal adviser said district attorneys, special assistants in his office and other lawyers will meet in a series of sessions during the week end to formulate plans.

A total of 25 attorneys "are working on the hearings," Gremillion said.

Gremillion said he would meet sometime with Alvin Lassiter, Morehouse-Ouachita parish district attorney; Caddo district attorney Edwin Blewey, and Bossier-Webster district attorney Louis H. Padgett.

WEEK-END MEETINGS

"I plan to get together Saturday and Sunday with other district attorneys of north Louisiana parishes involved in the hearings," he said.

Each registrar has been asked to bring all rules and regulations issued by the state board of registration since 1953 along with any letters, notices and memorandums dealing with registration laws received from Gremillion or state Sen. W. M. Rainach, joint legislative committee on segregation.

Summons were served Thursday on Caddo registrar Hugh Charles Mitchell and Jackson parish registrar Mrs. Leon Wilder by the US marshal's office.

The commission has set up an office at Barksdale Air Force Base in preparation for the hearing.

Meanwhile, Mrs. Mary K. Bryce, Bossier parish registrar of voters, returned to her office Friday. Mrs. Bryce was released from a hospital Wednesday and has been receiving treatment at the home of her daughter in Plain Dealing.

Three of Gremillion's special assistants—William Schuler and John Jackson, both of New Orleans, and N. Cleburn Dalton of Baton Rouge—were expected to arrive Friday night. Another assistant, M. E. Culligan of New Orleans, plans to arrive Sunday. The hearings will be held in the federal courtroom of the post-office building here.

LOUISIANA FILES SUIT

Civil Rights Group Due Legality Test

SHREVEPORT, La., July 10 (UPI)—Louisiana Aty. Gen. Jack Gremillion filed suit in federal district court today asking that the law setting up the Civil Rights Commission be declared unconstitutional.

Suit was filed in the name of 17 registrars of voters in north Louisiana and asked an injunction to halt a scheduled July 15 commission hearing in Shreveport on alleged voter discrimination against Negroes.

Gremillion said his suit "is the first aggressive action taken against the federal Civil Rights Commission."

No Date Set

No date for a hearing on the injunction was immediately set.

The suit alleges that the law establishing the commission is unconstitutional because it denies the registrars equal protection of the laws, denies them of the right to be informed of the nature and cause of accusation against them and denies them the right to be confronted with witnesses in their behalf in that no persons shall be compelled in any criminal case to be a witness against himself.

The commission scheduled the July 15 hearing after receiving 68 compalints from 17 north Louisiana parishes. Registrars from each parish were subpoenaed to appear.

Encroachment Charged

Gremillion charged that the establishment of the Civil Rights Commission "encroaches upon the rights reserved to the state of Louisiana.

"Let the courts decide it," Gremillion said. "The law is clearly defined; let it go through the courts. That's the democratic way to handle it."

The injunction suit maintained that the act creating the Civil Rights Commission "violates constitutional rights and privileges granted under the Constitution of the United States." It declared that "the proposed hearing to be held in Shreveport July 15 is not based upon any specific statement of fact revealed in any of the subpoenas served on the registrars and therefore violates their constitutional rights.

Ruling Tabbed As Challenge To Congress

SHREVEPORT, LA.—Charging that "the registrars must have something to hide," and asserting that Negro citizens purged from registration rolls "suffer real damages, not imagined ones," the United Christian Movement of Shreveport, and the Southern Christian Leadership Conference, Atlanta, quickly attacked Federal Judge Ben C. Dawkins' ruling, blocking the scheduled hearing of the Civil Rights Commission in Shreveport, La.

The statement was signed by Dr. C. O. Simpkins, president of the United Christian Movement, and Miss Ella J. Baker, executive director of the Southern Christian Leadership Conference, and reads as follows:

"We are not surprised that Judge Ben C. Dawkins, Jr., ruled as he did to prevent the Civil Rights Commission from holding its scheduled hearing on voter-registration infractions in the State of Louisiana. Judge Dawkins' previous rulings in cases involving the civil rights of Negroes certainly tend to confirm that he will use every possible evasion and technicality in stretching the law to maintain the status quo in racial matters.

The argument that registrars "might suffer irreparable injury" by appearing before the Civil Rights Commission to discuss the conduct of their offices, raises two very serious considerations:

1. The state and the registrars must have something to hide.

2. It ignores the fact that Negroes who have been consistently denied the right to vote and purged arbitrarily from registration rolls, suffer real damages, not imaged ones.

This situation calls for immediate action by the President, the Department of Justice, and the Congress. We urge all friends of equal justice to write, wire, or visit their senators, congressmen, Attorney General, and the President, at once.

Any unbiased observer knows that voting discrimination exists in Louisiana. As a matter of record. more than 10.000 Negro registrants have been purged from voter rolls, and thousands of others have been denied the right to register. Elected state officials and those who are doing the purging, openly and repreatedly boast that they are out to remove 100,000 more.

If it is illegal for the Civil Rights Commission to hold hearings on the denial of voting rights to hundreds of thousands of Negroes, then surely the McClellan hearings on the question of labor abuses are illegal and should be discontinued at once."

DIRECT CHALLENGE TO CONGRESS

Judge Dawkins' ruling was also called "a direct challenge to Congress" in a telegram sent by Miss Baker to Senator Thomas C. Hennings, Jr., chairman of the Senate Constitutional Rights Sub-committee.

"When a duly constituted a-

gent of Congress can be summarily prevented from even investigating complaints of citizens whose franchise rights have been violated," the wire stated, "it is incumbent upon Congress to enact legislation to effectively safeguard the rights to vote."

Passage of Title III of the Celler-Douglas bill was urged as "minimum civil rights legislation for this Congress," and Federal legislation was cited "as the only hope for Negro Americans in the South today."

Miss Baker was in Shreveport to attend the voter-registration hearing in follow-up of her work in the North Louisiana area in February and March.

Judge to rule on Louisiana rights hearing

SHREVEPORT, La., July 11 (AP)—Federal Judge Ben Dawkins Jr. will rule Sunday whether the Civil Rights Commission may proceed with a hearing investigating complaints against 16 registrars of voters.

The complaints charge that the voter registrars discriminated against Negroes.

Louisiana Attorney General Jack Gremillion asked Dawkins yesterday to stop the commission from holding the scheduled hearing Monday.

Gremillion's petition contended the commission is denying the registrars their constitutional guarantees in refusing to tell them in advance who their accusers are and the complaints against them.

Judge Dawkins said he was also concerned with Gremillion's charge that state officials would suffer public damage from the hearing. He agreed with the attorney general's contention that the point would be past arguing if the hearing proceeded, despite safeguards the commission promised.

Vote Hearing Slated In Louisiana July 13

WASHINGTON — (UPI) — The Federal Civil Rights Commission announced Thursday in Shreveport, La., next month to investigate charges that Negroes were barred from voting in northwest Louisiana.

It voted 5-0 to open the hearings July 13 after Louisiana officials refused to allow commission investigators to examine voting records. The commission said it had 68 sworn complaints from Negroes in nine parishes counties in the northwest section.

All the negroes charged they had been denied the right to register or vote because of color.

SECOND HEARING HELD

The hearing will be the second into alleged discrimination in voting because of race. The commission held hearings in Montgomery, Ala., last December after state officials refused to make voting records available.

A commission spokesman said parish registrars refused to allow investigators to check the Louisiana books. Faced with this refusal, he said, the commission at a meeting in Chicago last month ordered the staff to confer with Louisiana Gov. Earl K. Long.

He said the staff officials had conferred with Long, now receiving psychiatric treatment in a Texas Hospital, and with the state attorney general in an effort to look at the voting records of the nine parishes.

NO ANSWERS GIVEN

According to the commission spokesman, the commission representatives reached an understanding with the attorney general that he would try to help obtain the information if the commission specified what it wanted.

As a result, the spokesman said, the commission sent 315 questions to the attorney general about three weeks ago. He said the questions had not been answered.

The Shreveport hearings will be open to the public unless a witness asks to testify in secret.

There are six members of the civil rights commission. One member, who was not identified, abstained from voting when the group decided to hold the hearings.

The commission spokesman said complaints have been received from the following parishes: Caddo, Webster, Dienville, Bossier, Claiborne, De Soto, Jackson, Ouachita Parish and Red River.

White Editor Chides Vote Purge Of Willie Rainach

It is a well known fact that all are not in accord with the voters purge being conducted under the direction of gubernatorial aspirant Sen. Willie Rainach. In several parishes the all-American segregationist from Ouachita Parish and his committee have been met with a degree of opposition.

Probably the severest opposition from whites has come from St. Landry parish where the inquisition like committee has invaded the registrar of voters roll and stricken the names of many Negroes from the voters eligibility list. To this point, few whites have ventured to voice strong opposition against the voters purge, until recently here in this parish noted for its colorful yambalee festival, the activities of the Rainach - headed committee have caused such a stir until they have prompted the editor of the Franklin Tribune to write an open letter to Senator Rainach.

This letter now being distributed in pamphlet throughout the Parish of St. Landry, tells the story of a young Negro World War II soldier who, despite his inability to read or write, which according to Senator Rainach's interpretation of the Constitution is a prerequisite for Negro voters; excelled in battle and earned the rank of sergeant.

This letter goes on to say that the battle-wise Negro "couldn't follow the printed instruction on a registration card because he couldn't read at all, so there are bound to be errors in his registration. But the measure of a man's love for his country comes from his heart. No law is worth the paper it is written on that denies a free man the right to vote. If we lose the right to vote or to express our opinion at the ballot box, senator, this nation is doomed for you, for the sergeant and for me."

How about that senator, this isn't a vote starved Negro speaking but a white red blooded American citizen. As the Editor, Bob Angers, Jr. continues and this must be the paragraph dedicated to you Senator.

"It would grieve me as a white man Senator Rainach to know that anything would ever happen to deprive the Negro man of his right to vote, whether he and I agree on issues of the day isn't nearly as important as his right to express himself;" and with this simple reiteration of fundamental consitutional precepts which should be afforded to all Americans, the letter ends.

Judge Refuses Bond Request In Rights Probe

SHREVEPORT, La. (AP)—The Civil Rights Commission's probe of alleged voter registration in Louisiana hit another snag Monday when a federal judge refused to make voter registrars post bonds.

The U.S. attorney general's office had asked the court to require the registrars and others involved in the case to post bond following cancellation of the commission's hearing Monday.

Federal District Judge Ben Dawkins Jr., who issued the order canceling the hearing, said there are no laws requiring that bond be made in such cases.

Cancellation of the hearing came after Louisiana Atty. Gen. Jack Gremillion contended the 17 registrars were denied their constitutional rights in such a move. He claimed they should be advised of the charges against them and be allowed to confront their accusers and cross-examine them.

GREMILLION HITS AT VOTE HEARING

Describes Action as Being 'Grand Inquisition'

SHREVEPORT, La. (AP) — State Attorney General Jack Gremillion Wednesday termed the U.S. Civil Rights Commission hearing on voter registration, set for July 13 in Shreveport, "a grand inquisition by the federal government."

He said he has not been advised "what it is all about."

Gremillion added that he considered the hearing "a legal conspiracy to intimidate public officials of Louisiana."

The attorney general's remarks were made before he went into an afternoon session on strategy with the registrars of voters in nine north Louisiana parishes.

The state officials were discussing plans to defend themselves against charges by the federal Civil Rights Commission that Negroes have been denied the right to vote because of their race.

WON'T TELL PLANS

Gremillion, as legal advisor to the registrars of voters, declined to say what instructions would be given the registrars, since "it would be the same as tipping our hand" to the opposition.

The July 13 hearing was scheduled by the federal agency after it claimed 68 complaints had been received from Negroes.

Gremillion said the registrars believed their civil rights were being abused by having the charges filed against them and not being in a position to be faced by their accusers.

The Civil Rights Commission has refused to identify the complaints and Gremillion told the registrars they would be within their rights if they refused to answer questions.

The Shreveport hearing was called after charges by the Civil Rights Commission that Louisiana had refused to cooperate in examining voter registration books.

HITS AT QUESTION

Gremillion said he and Gov. Earl Long had pledged their cooperation in a conference with a federal commission representative last spring.

Gremillion said the Civil Rights Commission denies being connected with the Justice Department but that the facts are the Department of Justice has always used results of such hearings in Alabama and Georgia to prosecute.

Gremillion commented upon his instruction to Louisiana registrars of voters not to answer a questionnaire mailed by the Civil Rights Commission several weeks ago. He said most of the 315 questions were ridiculous, irrelevant and immaterial.

The attorney general said the law does not give the commission the right to conduct such "inquisition," adding that the commission, which is not a policy making body, usurped authority by adopting a resolution.

Dist. Atty. Edwin L. Blewer and Assistant Dist. Atty. John A. Richardson sat in on the conference.

Caddo Registrar of Voters U. Charles Mitchell, who attended the conference, said he had not been advised what the hearing seeks to develop.

Segregationists Meet Opposition In Opelousas

Sat. 6-20-59

OPELOUSAS, LA. (Special To The La. Weekly) — Opelousas, the Parish Seat of St. Landry Parish, has become the focal point of power-crazed segregationist W. M. "Willie" Rainach.

Until Rainach, state segregation chief, and his cohorts of evil, made their appearance "to get voter registration roll cleanups through the purging of the St. Landry Parish records," race relations and understanding generally were greatly improved with little resemblance to the "Louisiana town where Alvin Jones was severely beaten attempting to get Negroes registered, and shortly afterwards died as a results."

Rainach, who has ridden to prominence and riches because of his anti-desegregation fight, as head of the joint legislative segregation committee, stated that "a vast majority of the people favor a cleanup." According to Willie Rainach the purge would take several weeks and that more than two hundred faulty applications were found in one day's examination of the voter registration rolls.

The state law allows any two voters to challenge others who make mistakes in filling out application forms.

In Sheriff D. J. Doucet, Rainach has met what many think as "un-expected opposition." Sheriff Doucet has publicly announced that he would personally help voters striken from the roster to get back on the rolls. "If they don't dot their "I's" and cross their "T's" I intend to help them make it legal," he stated.

In spite of Rainach's appearance here, the people of Opelousas and St. Landry Parish continue to go about their daily chores and other routines as "in silent protest to the presence of evil which has come upon them. Although Rainach's actions are supposedly directed against faulty applications, it is certain that his primary aim "is to purge Negroes from the voter registration rolls," which has been looked upon as a "political move of Willie's to gain power in his forthcoming candidacy for governor."

Many of the inhabitants of St. Landry Parish are of French extraction and have retained their "French language" as a means of conversing with their neighbors. Although many, both white and Negro, cannot read and write they are "owners of large tracts of farm-land from which the state and parish both enjoy considerable income from taxes."

Among the heads to fall will include many of this group and their own tax monies are being used as instruments of their own-citizenship-demise.

What course of re-dress these "taxation without representation Rainach-deified" former citizens (former because they will have no voice in their governmental affairs on all levels) will take to purge the purger at this point is only speculative, but a people, as those of St. Landry Parish, who have glamourized the sweet potato and made Opelousas and vicinity the "Yam-Capitol of the World," will not stand by and permit "an outsider as Rainach" to strip them of their dignity, rights and responsibilities as full-fledged American citizens.

It has been rumored that Rainach's committee may go to court, because of the "lack" of cooperation shown by the registrar, Miss Ruby Ryder.

Probe Voting in Louisiana

Rights Group Awaits Mail Reply to Questions

BY DON OBERDORFER

WASHINGTON — The federal rights commission has been quietly "negotiating" with Gov. Long and his aides in an attempt to investigate complaints from Negroes that they were denied the right to vote in Louisiana.

The Louisiana officials, it was learned, finally agreed to let the rights commission investigate the voting complaints the way George Bender investigated corruption in the Teamsters Union—by mail.

Former Sen. Bender, it will be remembered, sent letters to the locals and police officials in their towns, asking if any crooks were in the outfit. He gave the union a clean bill of health after getting the replies.

THE RIGHTS commission over two weeks ago mailed a lengthy set of questions about voting procedures to state officials in Louisiana. The questions were to be answered by registrars in the state, some of whom are alleged to discriminate against Negroes.

So far, a commission spokesman revealed, the postman has not brought the replies. The spokesman said it would "take some time" for registrars to complete the mail investigation. "This isn't the type of thing you can sit down and do in an evening," he said.

Eighty-eight Louisiana Negroes have volunteered sworn statements on discriminatory vote denial to the federal group, which was set up by Congress primarily to investigate such voting complaints.

The commission for many months has had a three-man majority of Southern Democrats. When it was faced by staff recommendations April 10 that it hold public hearings and subpoena witnesses in Louisiana to get to the bottom of the voting complaints, it decided to defer action and negotiate with state officials. They had previously refused assistance.

Staff Director Gordon Tiffany and his chief investigator conferred with Gov. Long and with state Attorney General Jack Gremillion, finally working out the investigate-by-mail procedure.

The commission, which approved this action at its meeting in Chicago May 6, was evidently attempting to avoid holding widely-publicized hearings in the tense political atmosphere in Louisiana.

None of the commission's decisions on the Louisiana case have been publicly announced.

If the commissioners should fail to receive the mailed reports which Gov. Long and Atty Gen. Gremillion agreed to arrange, it is possible they will call a hearing anyway to inquire into the 88 voting complaints in Louisiana.

The commission staff has already produced a first draft of the commission's civil rights report to Congress, however. The completed draft must be in the printers' hands next month. The commission is scheduled to go out of existence in September.

SO FAR the federal commission has only held one public hearing on voting complaints—in Alabama, where they finally had to go to court to see voting records. The commission has 253 sworn voting complaints from 11 states in its files.

Just before his tirade at Baton Rouge last week, Gov. Long had lost a fight to make it easier for Negroes and others to register and vote in Louisiana. This fight was cited by some local figures as evidence that Long had cracked up.

Louisiana Voting List Faces Probe

Jacksonville, Fla.

WASHINGTON, June 11 (UPI)— The Federal Civil Rights Commission announced today it will hold public hearings in Shreveport, La., next month to investigate charges that Negroes were barred from voting in northwest Louisiana.

It voted 5-0 to open the hearings July 13 after Louisiana officials refused to allow commission investigators to examine voting records. The commission said it had 68 sworn complaints from Negroes in nine parishes (counties) in the northwest section.

All the Negroes charged they had been denied the right to register or vote because of color.

The hearing will be the second into alleged discrimination in voting because of race. The commission held hearings in Montgomery, Ala., last December after state officials refused to make voting records available.

A commission spokesman said parish registrars refused to allow investigators to check the Louisiana books. Faced with this refusal, he said, the commission at a meeting in Chicago last month ordered the staff to confer with Louisiana Gov. Earl K. Long.

He said the staff officials had conferred with Long, now receiving psychiatric treatment in a Texas hospital, and with the state attorney general in an effort to look at the voting records of the nine parishes.

According to the commission spokesman, the commission representatives reached an understanding with the attorney general that he would try to help obtain the information if the commission specified what it wanted.

As a result, the spokesman said, the commission sent 315 questions to the attorney general about three weeks ago. He said the questions had not been answered.

The Shreveport hearings will be open to the public unless a witness asks to testify in secret.

RIGHTS OFFICIAL TALKS TO LONG

Cites Co-operation Met in Louisiana

BATON ROUGE (AP) — Staff director Gordon Tiffany of the federal civil rights commission said Tuesday, "generally speaking, we've had fine co-operation in the South."

As for Louisiana, he said cooperation in this state was about the same as elsewhere in the Southland.

Tiffany consulted with Gov. Earl Long and Attorney General Jack Gremillion about civil rights vote denial complaints in the state. The talks came just before the governor's press conference. Tiffany was questioned in the governor's office by reporters arriving for the press conference.

GROUP ON TOUR

Tiffany accompanied a group of state attorneys general on tour from New Orleans where the attorneys general are holding a convention. He is a former New Hampshire attorney general.

Resistance to the commission in some Southern states, Tiffany said, has caused considerable publicity, but not in the case of Louisiana.

The commission staff, Tiffany said, is investigating complaints in North Louisiana. He declined to name any specific complaints or the parishes and registrars involved.

"We are making findings of facts," Tiffany said, "and will report to the President and Congress next September."

The fact-finding effort, he said, is nationwide, not merely in the South. He pointed out that a hearing into the housing aspects of civil rights began in Chicago today.

MEETING SET UP

Gremillion said he set up the meeting between Long and Tiffany at Tiffany's request.

The Louisiana attorney general said that since under state law he is attorney for Louisiana's vote registrars, Tiffany has agreed to consult with him before talking to any of Louisiana's registrars.

Long told newsmen that the state actually has no authority over conduct of registrars' offices. The governor previously has said

Louisiana has nothing to hide from the civil rights commission.

Louisiana registrars, Long said, are named by the parish police juries and are subject to their will.

Tiffany said the Civil Rights Commission had no immediate plans for hearings in Louisiana.

The commission finds facts without hearings whenever possible, he said.

The commission, with five members, three of them from the South, determines whether hearings are necessary to get facts about civil rights complaints.

If by questioning the persons complaining, the registrars and others, the commission is satisfied that it finds the truth, the commission does not require a hearing, he said.

Vote Hearing Slated In Louisiana July 13

WASHINGTON — (UPI) — The Federal Civil Rights Commission announced Thursday in Shreveport, La., next month to investigate charges that Negroes were barred from voting in northwest Louisiana.

It voted 5-0 to open the hearings July 13 after Louisiana officials refused to allow commission investigators to examine voting records. The commission said it had 68 sworn complaints from Negroes in nine parishes counties in the northwest section.

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SECOND HEARING HELD

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A commission spokesman said parish registrars refused to allow investigators to check the Louisiana books. Faced with this refusal, he said, the commission at a meeting in Chicago last month ordered the staff to confer with Louisiana Gov. Earl K. Long.

He said the staff officials had conferred with Long, now receiving psychiatric treatment in a Texas Hospital, and with the state attorney general in an effort to look at the voting records of the nine parishes.

NO ANSWERS GIVEN

According to the commission spokesman, the commission representatives reached an understanding with the attorney general that he would try to help obtain the information if the commission specified what it wanted.

As a result, the spokesman said, the commission sent 315 questions to the attorney general about three weeks ago. He said the questions had not been answered.

The Shreveport hearings will be open to the public unless a witness asks to testify in secret.

There are six members of the civil rights commission. One member, who was not identified, abstained from voting when the group decided to hold the hearings.

The commission spokesman said complaints have been received from the following parishes: Caddo, Webster, Dienville, Bossier, Claiborne, De Soto, Jackson, Ouachita, Lincoln, Union, Morehouse, Richland, Madison, Tensas, Caldwell, Franklin, Concordia, Catahoula, Avoyelles, Rapides, Vernon, Natchitoches, Sabine, Red River.

Federal Judge Will Rule On Louisiana Vote Quiz

SHREVEPORT, La. (AP) — Federal Judge Ben Dawkins Jr. will rule Sunday whether the Civil Rights Commission may proceed with a hearing investigating complaints against 16 registrars of voters.

The complaints charge that the voter registrars discriminated against Negroes.

Louisiana Atty. Gen. Jack Gremillion asked Dawkins Friday to stop the commission from holding the scheduled hearing Monday.

Gremillion's petition contended the commission is denying the registrars their constitutional guarantees in refusing to tell them in advance who their accusers are and the complaints against them.

PUBLIC DAMAGE

Judge Dawkins said he was also concerned with Gremillion's charge that state officials would suffer public damage from the hearing. He agreed with the attorney general's contention that the point would be past arguing if the hearing proceeded, despite safeguards the commission promised.

Robert G. Storey, vice chairman of the commission, said the commission does not use ordinary court rules because its hearings are not "adversary actions." It cannot, Storey said, enforce penalties, resolve disputes or make accusations. The group, he added, deals only with eliciting facts.

Gremillion's lengthy brief to the court Friday also struck at the constitutionality of the entire Civil Rights Act. He asked for a three-judge federal court to render a declaratory judgment that such legislation is unconstitutional.

HITS QUESTIONAIRE

Gremillion termed as "abusive and intolerable" a 315-part questionaire whose rejection by the registrars led to their probe by the commission.

It was on Gremillion's advice last March that the registrars of (counties) refused to open their voter rolls to a commission investigator.

Gremillion at that time cited a state law requiring a petition signed by 25 registered voters before the rolls could be opened for inspection.

Gremillion called the accusations against Louisiana registrars "ghost complaints" and termed the commission "federal monsters."

Should Dawkins rule that a permanent injunction stopping the commission from holding its hearing be issued, the case would go to a three-judge federal panel for decision.

Viewpoint Of Judge 'Pleases' Patterson

Alabama's Gov. John Patterson said he was pleased to learn Saturday that a federal judge in Louisiana appears somewhat sympathetic with the position of the states in civil rights investigations.

Patterson said he had a telephone conversation with Louisiana Atty. Gen. Jack Gremillion which sounded encouraging for the future of such proceedings before the federal Civil Rights Commission.

"I want to commend Mr. Gremillion for the way in which he has handled the matter," said Patterson, himself a former attorney general. "I would like to extend my best wishes to him and hope he wins his case."

State officials raised similar issues when the Civil Rights Commission came here early this year to investigate complaints by Negroes that they had been denied voting rights.

Judge Restrains Rights Group

Prohibits Probe In Voter Cases

SHREVEPORT, La., July 12 (UPI) — A Federal judge today granted a restraining order preventing the U. S. Civil Rights Commission from looking into complains that Negroes are denied voting rights in North Louisiana.

U. S. District Judge Ben C. Dawkins handed down the temporary restraining order barring the commission from going through with its scheduled hearing tomorrow. At the same time he ordered a three-judge court to rule on the constitutionality of the commission.

Judge Dawkins granted the injunction to Louisiana Atty. Jack Gremillion, who filed the suit on behalf of 17 North Louisiana voter registrars subpoened to appear before the hearing.

The Civil Rights Commission reportedly has about 70 complaints from Negroes charging their voting rights have been denied. Most of the complaints were believed to revolve around voter purges launched by segregationists.

Louisiana law makes it possible for voters to challenge another voter's right to registration and have his name erased from the voter rolls.

Gremillion's suit charged that the commission was created unconstitutionally and that it was trying to conduct the hearing in an unconstitutional manner.

VOTE OFFICIAL 'NOT RESIGNING'

Monroe Registrar Says She Plans to Stay

(Special to The Times-Picayune)

MONROE, La. — Mrs. Mae Lucky, Ouachita parish registrar of voters Friday said she had "no intention of resigning from her position despite reports from Baton Rouge that Gov. Earl K. Long may have already selected her successor.

It was learned in Baton Rouge Thursday that Gov. Long is considering C. C. Bell Jr., West Monroe businessman and former mayor, for the registrar's job.

Mrs. Lucky said Friday: "I have no statement to make except that I am not eligible for retirement and I have no intention of resigning because I need the job."

There was speculation that Gov. Long may be planning to fire Mrs. Lucky.

Bell is under consideration to fill the position, informants said.

When asked for comment, Gov. Long said he was informed several months ago that Mrs. Lucky may be retired. The governor said action to retire the registrar could be taken by the Ouachita parish police jury or by himself and two other members of the registrar board if the police jury requested such action.

Mrs. Lucky has had trying times in the registrar's office because of suits filed by Negro voters following an incident pertaining to registration matters in the courthouse.

Halt in Voter Purge Sought

U.S. Asks Injunction in Washington Parish

A motion for a preliminary injunction in the Washington parish voters purge case was filed Monday in federal district court here.

Judge J. Skelly Wright set the hearing date on the motion for Nov. 18 at 11 a. m.

The preliminary injunction was filed by the government and is aimed at ending the alleged illegal purge of Negroes from the registration rolls of Washington. It is directed against he White Citizens Council of Washington parish.

On June 29 the justice department filed an injunction to halt the striking of the names of Negroes from the registration rolls for "the slightest technical deficiencies."

On Oct. 7 Federal Judge J. Skelly Wright refused to dismiss the civil rights case brought by the government.

Defendants in the case, besides the council, are four of its members and Washington Registrar Curtis M. Thomas. The members are Diaz D. McElveen, E. Ray McElveen, Saxon Farmer and Eugene Farmer.

The motion for preliminary injunction was signed by M. Hepburn Many, US attorney here, and Joseph M. F. Ryan Jr., acting assistant attorney general for the US.

The motion filed Monday points out that the state Democratic primary election is to be held Dec. 5, and that if the injunction is not granted, voters will suffer the loss of the right to vote.

The motion also asks that the persons whose names were removed from the registration rolls of the parish be registered de de novo, or all over again.

Negro Votes List Cut Called Aim of Ruling

ATLANTA, Oct. 9 (UPI)—A federal court ruling that the U. S. Civil Rights Commission was operating illegally in Louisiana is aimed at reducing Negro voters in that state, the executive director of the Southern Christian Leadership Conference charged last night.

Ella J. Baker said: "It is not difficult to see in this ruling the reflection of the interests of certain Louisiana politicians whose openly avowed policy is to reduce the number of Negro voters from 130,000 to 13,000."

The Southern Christian Leadership Conference is headed by the Rev. Martin Luther King Jr., Montgomery, Ala., Negro integration leader.

She asserted the Federal District Court ruling that canceled a hearing on denial of voting rights to thousands of Louisiana Negroes points to "the need for positive Federal action, such as the appointment of Federal registrars and a universal suffrage act to make real to Negro Americans the right of unhampered franchise."

U. S. Civil Rights Commission Plans For Investigating The Denial Of Negroes Right To Vote In Louisiana Hit By Federal Restraining Order

Judge Charges Rules Of Commission Violate Act Creating The Commission

TRIAL SET FOR LATER ON THIS MONTH

Shreveport, La. (AP)—A federal judge Sunday granted a temporary restraining order preventing the U. S. Civil Rights Commission from investigating complaints that Negroes are denied voting rights in north Louisiana.

Federal Judge Ben C. Dawkins ruled that the Commission's own rules violate the act that created it and prevented the Commission from holding its hearing scheduled for Monday.

At the same time, he ordered a three-judge court to give "the burning issue" a "trial on its merits" and decide whether the Commission itself and the act that created it are constitutional.

The temporary restraining order is apparently in force until the three-judge court convenes for the trial. Judge Dawkins set the trial for July 22.

He granted the order to Louisiana Attorney General Jack Gremillion, who filed the two-pronged suit, asking for both a temporary restraining order and then the three-judge trial, on behalf of 17 north Louisiana voting registrars.

Registrars Called

The registrars had been subpoenaed to appear Monday before the Commission. The hearing was to investigate complaints by at least 67 Negroes in the area that they had been discriminated against in voting rights.

In Louisiana, two voters can challenge another voter's right to registration and it is up to the challenged voter to prove he is qualified, mentally and morally, to vote.

Dawkins ruled that the Commission "refused to inform" the registrars of the "nature of the charges filed against them and in so doing, regardless of its well-intentioned motives, violates the terms of the law" that created the Commission in 1957.

He ruled that the Commission "plainly" violates the registrars' "rights to know in advance with what they are charged, to be confronted by witnesses against them, and to cross-examine their accusers.

"We cannot believe," Dawkins said in his 18-page ruling, "that Congress intended to deny these rights to anyone."

Dawkins said that if the Negroes testify before the Commission that the registrars have violated the law, the registrars "thus will be condemned out of the mouths of these witnesses alone without having the right to cross-examine and thereby test the truth of such assertions . . . "

He said that the registrars would then be "stigmatized and held up before the eyes of the nation for opprobrium and scorn."

Is Louisiana Next?

BATON ROUGE, La., Oct. 31 (AP)—State Atty. Gen. Jack Gremillion says the National Assn. for the Advancement of Colored People has picked Louisiana as the "next battleground" in the Southern integration struggle.

Gremillion's comment came after the NAACP asked a federal court here to order desegregation plans from East Baton Rouge and St. Helena Parish (county) School Boards.

A. P. Tureaud of New Orleans, NAACP chief counsel in Louisiana, asked for summary judgments after the completion of its New Orleans test case.

THE ALMOST forgotten parish desegregation cases originated in 1952 in St. Helena Parish and in 1956 in East Baton Rouge Parish.

Gremillion said the NAACP's "alleged success" in Arkansas and Virginia has allowed them to concentrate on another state.

"However," he added, "I wish to assure the people of this state that the attorney general of Louisiana will resist to the utmost these legal attempts to enforce federal will upon the sovereignty of the State of Louisiana."

In the New Orleans case, U.S. District Judge J. Skelly Wright has given the Orleans Parish School Board until May 16, 1960, to file its desegregation plan.

That is also about the date the legislature convenes with a new governor taking office. All of the state's major gubernatorial candidates are pledged to preserve segregation.

* * *

TUREAUD, for years the foremost Negro lawyer in each Louisiana integration case, said he acted now in the parish cases because he has disposed of the New Orleans case.

Gremillion said he did not think the New Orleans case was settled "by a long shot."

Thurgood Marshall of New York, NAACP chief counsel, signed the federal court motions with Tureaud.

Vote 'Purger' Had Registered Wrong!

The Pittsburgh Courier p. 3

Pittsburgh, Pa.

NEW ORLEANS, La. Washington Parish White Citizens Council members responsible for the scratching of some 80 per cent of the Negro voters in and around Bogalusa, La., for minor technical errors in their applications, had a defective registration himself, U. S. Attorney M. Hepburn Many told the Federal Court here.

U. S. Attorney Many made the statement during the hearing on the Government's case against the Washington Parish WCC, its members, and Vote Registrar Curtis M. Thomas. The Government charged that 1,281 Negro voters were stricken from the rolls in Washington Parish during the first six months of 1959.

Federal Judge J. Skelly Wright took under advisement the Government's move to restore "purged" Negro voters to the Washington Parish registration rolls in time for the Dec. 5 state Democratic primary.

■

THE GOVERNMENT, several months ago, filed for an injunction to halt striking of names from the Washington Parish voting rolls for allegedly minor technical reasons.

It was charged that on Nov. 4, 1958, there were 1,517 Negroes and 11,444 whites registered as voters in the parish, but on June 16, 1959, there were 236 Negroes and 11,436 whites on the rolls.

In last week's hearing, U. S. Attorney Many said that 90 per cent of the Negro voters had been challenged and removed from the rolls: He said that of 7,500 white voters whose registrations had the home defects as those of the Negro voters removed, only 1.2 per cent were challenged.

■

"THE ONLY conclusion is that this is a massively unequal, a massively discriminatory action, in violation of the 15th Amendment and the civil rights statute," he told the court.

Thomas, the parish registrar, was represented at the hearing by Assistant Attorneys General Weldon Cousins and Henry Roberts. The WCC and its members were represented by Attys Ben C. Toledano and William M. Shaw.

Counsel for Thomas argued that the Government is wrongfully seeking to enjoin the registrar from performing duties required of him under state law. They contended that the registrar cannot and should not be required to look into the motive behind every challenge, but must comply with the law and strike the registrant if there are errors on the application.

■

ATTORNEY TOLEDANO claimed there is no legal basis for the Government suit since all of the Negro voters stricken had made errors. He raised the question, "Can unqualified voters be restored to the rolls simply because of their color?"

In rebuttal, U. S. Attorney Many said, "I have listened with amazement at the talk of fair play. Isn't it a coincidence that practically all of the Negroes were taken off the rolls?"

He told the court that the WCC member, also defendant in the case, who made the most challenges, Saxon Farmer, had a defective registration in that the year of his registration was not listed.

Judge Wright took the matter under advisement after hearing arguments, and he ordered attorneys for both sides to submit proposed findings of law.

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LOUISIANA

Suit Hits Purge Of Negro Voters

WASHINGTON, D. C. — (NNPA) — A suit to enjoin the purging of colored voters in Washington Parish (County), La., has been filed in the Federal District Court at New Orleans, Attorney General William P. Rogers has announced.

Named as defendants in the suit are the White Citizens Council of Washington Parish, Curtis M. Thomas, parish registrar of voters, and Diaz D. McElveen and Ray McElveen, Saxon Farmer and Eugene Farmer.

The latter four persons were sued as individuals and were said to be officers and members of the White Citizens Council.

The suit was brought under the 1957 Civil Rights Act. It is the third suit brought under that Act. In the other two cases, portions of the act were held unconstitutional. Appeals in those cases are pending in the Supreme Court.

The Louisiana suit is the first to involve removal of already qualified voters from the rolls.

The practice attacked by the complaint is the challenging of the legality of the registration of colored voters for the purpose of racial discrimination. The actions of the defendants were said to violate federal law and the 14th and 15th Amendments to the Constitution.

According to the complaint, the numbers of voters registered in Washington Parish on the dates indicated were:

Oct. 6, 1956, 1,843 colored compared with 15,529 whites; Nov. 4, 1958, 1,517 colored compared with 11,444 whites, and June 16, last, 236 colored compared with 11,436 whites.

The complaint states that under Louisiana law any two bona fide registered voters of a parish have authority to challenge the right of a person to remain on the voter registration rolls.

From Nov. 4, 1958 to last June 16, the individual defendants were said to have filed with the registrar 1,377 affidavits challenging the registration status of colored voters, and 10 affidavits questioning the legality of the registration of white voters.

In doing this the individual defendants were alleged to be agents of the state since the Louisiana law gives registered voters "authority to perform the state function of investigating and making an initial determination whether persons are qualified to vote."

The complaint described the affidavits as "almost without exception based on minor technical deficiencies in the registration records, such as minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision, and allegedly illegible handwriting."

Almost no challenges of white voters were made based on the same technical deficiencies.

As a result of the challenges the names of the challenged voters were stricken from the registration rolls. The complaint charged that the registrar who struck the voters' names knew that the purpose of the affidavits "was to effect discrimination based on race or color" against colored voters.

The acts of the individual defendants were carried out at the direction of and under the control of the White Citizens Council, the complaint said. The Council was said to act pursuant to a state-wide program of allied organizations to remove colored persons from voting rolls.

The complaint seeks:

1. To enjoin the individual citizens and the White Citizens Council from initiating affidavits of challenge for the purpose of racial discrimination.

2. To enjoin the registrar from giving legal effect to the challenges or future challenges intended to discrimination.

3. To permit those voters illegally challenged and removed to be reinstated without re-registering.

"This suit is directly aimed at discriminatory purging of voters for racial reasons," Assistant Attorney General W. Wilson White, in charge of the Civil Rights Division, said, adding:

"It is the Government's position that the use of the Louisiana challenge law to disfranchise colored citizens for technicalities while allowing white voters with the same technical defects in their registration papers to remain unchallenged is a violation of the Civil Rights Act of 1957."

Negro Voters Purge In Louisiana Hit By U. S. Suit

Justice Dept. Files Suit To Halt Removal Of Negroes From Voters Lists

Washington — The Justice Department filed suit Monday to stop large-scale removals of Negroes from the voting lists in Louisiana's Washington Parish. The White Citizens Council for the area and four of its members were named as instigators.

Atty. Gen. William P. Rogers announced filing of the suit in U.S. District Court at New Orleans. It is the third voting rights action to be taken under the 1957 Civil Rights Act.

The previous actions, in Georgia and Alabama, were knocked down by U. S. District Court and are now being appealed to the Supreme Court.

The suit at New Orleans named as defendants: Washington Parish Registrar of Voters Curtis M. Thomas; the White Citizens Council of Washington Parish; and four men—Diaz D. McEleveen, E. Ray McEleveen, Saxon Farmer, and Eugene Farmer — described as Council members.

The suit charges that between November of last year and June 16, some 1,281 Negroes were taken off the voting rolls as a result of challenges of their eligibility by Citizens Council members.

The government charged the Washington Parish Council acted in the matter as part of a statewide program of similar organizations to remove Negro voters from the registration books.

Under Louisiana law, any two bona fide registered voters may challenge the right of another registered voter.

The government said that during the past seven months, there were 1,377 affidavits filed challenging Negro voters in Washington Parish and that as a result the Negro registration was reduced from 1,517 to 236.

U.S. Sues to Halt Negro Vote Purge

NEW ORLEANS — (AP) — A Justice Department suit on file in U. S. District Court here seeks to halt the purge of Negro voters in Washington Parish (county).

The parish is in southeastern Louisiana, about 50 miles north of New Orleans.

The suit names as defendants the pro-segregation White Citizens Council of Washington Parish; Council Members Diaz D. McEleveen, E. Ray McEleveen, Saxon Farmer and Eugene Farmer, and the parish registrar of voters, Curtis M. Thomas.

Under Louisiana law, any two bonafide voters may challenge the right of another registered voter.

The government said that during the past seven months there were 1,377 affidavits filed challenging Negro voters in Washington parish and that the Negro registration was reduced from 1,517 to 236. The petition said in the same period only 10 affidavits have been filed questioning the voting rights of white persons.

The suit, seeking an injunction against discriminatory challenges, has not been set for hearing.

The complaint said the challenging affidavits almost without exception were based on minor technical deficiencies such as misspellings, petty deviations from printed instructions, failure to compute age precisely and allegedly illegible handwriting.

In Washington, Assistant Attorney General W. Wilson White, in charge of the civil rights division of the Justice Department, said in a statement:

"This suit is directly aimed at discriminatory purging of voters for racial reasons. It is the government's position that the use of the Louisiana challenge law to disfranchise Negroes for technicalities while allowing white persons with the same technical defects in their registration papers to remain unchallenged is a violation of the Civil Rights Act of 1957."

JUDGE BARS STUDY OF LOUISIANA VOTE

Grants a Restraining Order Against U.S. Rights Unit Investigating Complaints

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United States District Judge Gen C. Dawkins handed down the temporary restraining order barring the commission from going through with its scheduled hearing tomorrow. At the same time, he ordered a three-judge court to rule on the constitutionality of the commission.

Judge Dawkins granted the injunction to Louisiana Attorney General Jack Gremillion, who filed the suit in behalf of seventeen north Louisiana voter registrars subpoenaed to appear at the hearing.

The Civil Rights Commission could only make recommendations to the President and Congress if it found voter rights were being denied in Louisiana. It could not directly compel the state to change its laws.

Louisiana law barred anyone but a voter registered in a parish (county) from looking at voter rolls in that parish. The only other way it could be done, The registrars were told, was to get a petition signed by twenty-five registered voters.

Other Complaints

Other complaints in Mr. Gremillion's suit were that the commission had no right to force the registrars to testify or to produce documents and records, and that the registrars were denied the compulsory obtaining of witnesses in their own behalf, thus being denied equal protection under the law.

Commission investigators were denied access to voting rolls. Registrars pointed out that

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From Nov. 4, 1958 to last June 16, the individual defendants were said to have filed with the registrar 1,377 affidavits challenging the registration status of colored voters, and 10 affidavits questioning the legality of the registration of white voters. Each of the individual defendants were alleged to be agents of the state since the Louisiana law gives registered voters "authority to participate in the state function of investigating and making an initial determination whether persons are qualified to vote."

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Grants a Restraining Order Against U.S. Rights Unit Investigating Complaints

SHREVEPORT, La., July 12 (UPI)—A Federal judge granted a restraining order today preventing the United States Civil Rights Commission from looking into complaints that Negroes were denied voting rights in north Louisiana.

United States District Judge Gen C. Dawkins handed down the temporary restraining order barring the commission from going through with its scheduled hearing tomorrow. At the same time, he ordered a three-judge court to rule on the constitutionality of the commission.

Judge Dawkins granted the injunction to Louisiana Attorney General Jack Gremillion, who filed the suit in behalf of seventeen north Louisiana voter registrars subpoenaed to appear at the hearing.

The Civil Rights Commission could only make recommendations to the President and Congress if it found voter rights were being denied in Louisiana. It could not directly compel the state to change its laws.

File Suit To Stop Negro Voter Purge

Daily News Jackson, Miss.
Mon.-6-30-59

WASHINGTON (AP) — The Justice Department filed suit Monday to stop large-scale removals of Negroes from the voting lists in Louisiana's Washington Parish. The White Citizens Council for the area and four of its members were named as instigators.

Atty. Gen. William P. Rogers announced filing of the suit in U.S. District Court at New Orleans. It is the third voting rights action to be taken under the 1957 Civil Rights Act.

The previous actions, in Georgia and Alabama, were knocked down by U. S. District Court and are now being appealed to the Supreme Court.

The suit in New Orleans named as defendants: Washington Parish Registrar of Voters Curtis M. Thomas; the White Citizens Council of Washington Parish; and four men—Diaz D. McEleveen, E. Ray McElveen, Saxon Farmer, and Eugene Farmer—described as Council members.

The suit charges that between November of last year and June 16, some 1,281 Negroes were taken off the voting rolls as a result of challenges of their eligibility by Citizens Council members.

The government charged the Washington Parish Council acted in the matter as part of a statewide program of similar organizations to remove Negro voters from the registration books.

It was signed by United States Attorney M. Hepburn Many and Joseph M. F. Ryan Jr., acting assistant attorney general. Named defendants, in addition to the council, are Diaz D. McElveen, E. Ray McElveen, Saxon Farmer, and Eugene Farmer, individually and as members of the council, and Registrar Curtis M. Thomas.

The registrar could not be reached for comment Monday, but one parish official, who would not be identified, said "We knew it was coming," and added "at least the waiting is over." He said that some Negroes indicated that the suit would be filed.

RAINACH NOT TALKING

State Sen. William Rainach, chairman of a special legislative committee on segregation, was contacted in Ville Platte where he is canvassing registration rolls of Evangeline parish. He said that he did not wish to comment on the suit until he could study its allegations.

The suit seeks an injunction enjoining the defendants from causing or initiating challenges or filing any affidavits of challenge which have as their purpose or effect discrimination based on race or color.

It would also enjoin the registrar from giving any legal effect to 1377 challenges filed during the period Nov. 4, 1958, to June 16, 1959, which allegedly were "almost without exception based on minor technical deficiences in the registration records, such as minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision, and alleged illegible handwriting."

The court is asked to enjoin the registrar from giving effect to any challenges which might be made in the future based on discrimination and enjoining the registrar from requiring those who have been illegally challenged and removed from the rolls to take any further steps as a condition to their reinstatement forthwith as registered voters.

ASKS ADDED RELIEF

In a final request, the suit asks that the court "grant such additional relief as justice may require or as may be required," including instructions to the registrar when he has reasonable doubt as to his obligations under the court's orders.

The suit was brought under the Civil Rights Act of 1957 and charges that the alleged acts of the defendants are in violation of 14th and 15th amendments to the Constitution of the United States.

It is charged that on Nov. 4, 1958, there were 1517 Negroes registered in Washington parish and 11,444 whites, but on June 16, 1959, there were 236 Negroes and 11,436 whites.

The justice department charges that in their examination of the registration rolls the defendants exercised virtually no challenges of white voters whose registration records they knew or should have known contained technical deficiencies similar to those which formed the basis for the challenge of the Negroes.

DISCRIMINATION CHARGED IN SUIT

Times-Picayune New Orleans, La.

Petition Seeks to Prevent Alleged Roll Purge

Times-6-30-59

An action aimed at putting an end to the alleged illegal purge of Negroes from the registration rolls of Washington parish was filed Monday in federal court by the justice department.

The suit asked an injunction to halt the striking of names of Negro registrants from the registration rolls for "the slightest technical deficiencies."

It was directed against the White Citizens Council of Washington parish, four of its members, and the parish registrar.

FULL HEARING SET JULY 22

Segregationists Hail U.S. Court For Its Order At Shreveport

Alabama Journal
Montgomery, Ala.
Mon. 7-13-59

SHREVEPORT, La. (UPI)—Segregation leaders today hailed a legal ruling which prevents the U. S. Civil Rights Commission from investigating complaints that North Louisiana Negroes are barred from voting.

Federal district Judge Ben C. Dawkins issued a temporary restraining order Sunday barring the commission from holding a scheduled hearing today on complaints from at least 67 Negroes that they were discriminated against.

Dawkins announced that a three-judge court will decide July 22 whether the commission and the act that established it are constitutional.

State Sen. W. M. Rainach, chairman of Louisiana's joint legislative committee on segregation, termed Dawkins' decision "a fine, fine first round victory."

"It amounts to the first time any of the states have taken the offensive against the Civil Rights Commission. We consider it a victory for law and order and the establishment of a precedent," Rainach said.

NEGRO GROUPS PROTEST

Alabama Gov. John Patterson congratulated Louisiana Atty. Gen. Jack Gremillion on the outcome of the case.

Three groups, two of them all-Negro, criticized the ruling. The Southern Christian Leadership Conference, Inc., of Atlanta, whose members are 200 of the South's leading Negro ministers, and the United Christian Movement of Shreveport, which has membership in three surrounding parishes, said in a joint statement:

"The argument that registrars might suffer irreparable injury by appearing before the commission raises two serious considerations:

"1. The registrars must have something to hide.

"2. It ignores the fact that Negroes have been consistently denied the right to vote and arbitrarily purged from the registration rolls, have suffered real damages, not imagined ones."

The Southern Conference Educational Fund, a southwid biracial group with 5,000 members, said Dawkins "ignores" the point that "the rights of tens of thousands of Negroes have been violated, and these violations are the occasion for the proposed hearing."

Gremillion had asked for the temporary restraining order to stop today's hearing and the three-judge trial of the constitutionality of the commission. His suit was on behalf of 17 North Louisiana parish registrars subpoenaed to appear at the hearing.

Dawkins ordered the commission to show cause in federal court here July 22 why the interlocutory injunction should not be granted. On the same day, the three-judge court, to be appointed by Federal Judge Joseph C. Hutchinson of Houston, chief justice of the 5th Circuit Court of Appeals, will rule on the constitutionality of the state creating the commission.

In his ruling, Dawkins said he forestalled the hearing because the Louisiana registrars might have been "held up before the eyes of the nation . . . in scorn," because the commission would not let them protect themselves.

Dawkins noted that the commission "refused to inform" the registrars of the "nature of the charges filed against them and in so doing, regardless of its well-intentioned motives, violates the terms of the law" that created the commission.

MRS. KATIE E. WHICKAM CHAPMAN, president Metropolitan Women Voters' League, chats with Paul Butler, chairman Democratic National Committee. Mrs. Chapman talked at length on the Negro Women and the Democratic Party. Mr. H. M. Morgan of Tyler, Texas, listens in. All meetings were held at the Sheraton Park Hotel. Top ranking Democrats were in attendance (Chase Ltd. Photo — Washington, D. C.)

Louisiana Attorney Attacks School Decision While State Purges Voters

WASHINGTON, D. C. — (NNPA) — Leander H. Perez, a Louisiana States' Rights politician and parish (county) prosecuting attorney, Wednesday attacked the Supreme Court decision against segregated public schools on the ground that it was not based on the Federal Constitution but on sociology and psychology.

Testifying in opposition to civil rights legislation before the House Judiciary subcommittee, which is considering a number of bills, Perez contended that the Administration's proposal to make it a Federal offense to obstruct Federal Court orders in school desegregation cases would not be necessary if the decision were the law of the land.

Representative Emanuel Celler, of New York, committee chairman, drew from Perez a reply that he considered the "separate but equal" doctrine enunciated by the court in 1896 as being correct.

"If you feel that the Supreme Court has the right to interpret the Constitution, why do you accept its decision in one case and reject it in another?" Celler asked.

THE OLD CLAIM

Perez replied that the court had said it was not basing its decision in the school cases on any interpretation of the Constitution.

Celler then asked Perez if there were not a number of decisions in which the court tended to strike down the "separate but equal" doctrine.

Celler called Perez' attention to the decisions involving the admission of colored students to graduate and professional schools.

"It strikes me," Celler told the states' rights fighter, "that you will accept the interpretation of the court if it meets your view, but you will not accept it if it does not."

The court in its decision of May 17, 1954, ruled that segregation in public schools deprived colored children of the equal protection of the laws guaranteed by the 14th Amendment.

While Perez was opposing civil rights legislation, the purge of colored voters was continuing in his state.

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According to the dispatch, Thomas said the two, Ray McElvin and [illegible] Jean Farmer, were examining the voter rolls periodically and had challenged some 300 voters within the past three weeks.

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JURIST RULES ON PURGE

Judge Robert D. Jones ruled the Citizens Council members had a right to examine the registration rolls and challenge voters.

He ordered Thomas to open his books to any qualified voter registered in the parish.

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Under Louisiana law, an affidavit sworn to by any two registered voters of a parish requires the registrar to notify the person whose riight to vote is challenged.

The challenged voter must appear in person before the registrar within 10 days with another affidavit signed by three qualified voters in order to prove his right to vote.

If not, the voter's name is re-

A Billion Per Cent for Segregation

Long Wants to See 'Everyone' In La. Vote, But He's Pro-Bias

ALEXANDRIA, La.—Governor Earl K. Long is a "billion per cent for segregation" and would like to see all eligible persons—Negro and white—register and vote, and signed many pro-segregation measures into law for fear of being called a "Negro worshiper."

These are statements attributed to him in the meeting of the Louisiana Association of Registrars of Voters here last week.

Addressing the group as a special visitor, Long pointed out he had never removed a registrar from office whom he believed was doing the right thing.

• "I think," he said, "everybody ought to be permitted to register. There's a lot of fine old people who have been voting all their lives who might not be able to read or write or interpret the Constitution.

• "That includes any colored person who has the qualifications, although I'm one billion per cent for segregation."

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• "I didn't want to sign those bills," the Governor said, "but I knew if I didn't, I couldn't go to Winnfield without getting lynched.

"I believe if they would leave us alone with our own Southern Negroes and those Commies and rabble-rousers and the NAACP would stay out of Louisiana, we'd get along fine and we would have segregation.

"I'm ostracized from the Boston Club in New Orleans," he said. "They don't want me and I don't want them, and I don't believe the Louisiana Negroes want to associate with us socially any more than we want to associate with them."

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Civil Rights Group Set to Decide On Action in Louisiana Vote Case

By Richard L. Lyons
Staff Reporter

The Civil Rights Commission is expected to decide today whether to go to Louisiana, as it did to Alabama, to probe facts on charges that Negro voting rights have been violated.

Last month the Commission said it planned no further voting hearings. It thought then that sta investigations plus the December hearing in Montgomery, Ala., would produce enough information for its report due in September.

Since then, however, staff investigators checking complaints from Negroes in and around Shreveport, La., ran into the same trouble that sent the Commission to Alabama. They were refused access to registration records which are essential to determining there has been discrimination. The Commission will discuss the situation tonight in Atlanta where it is holding a hearing on housing discrimination.

The Commission was given power by Congress to subpoena such records. But to do so it must go to the state where they are located. The pressure will be on the Commission to get the facts in Louisiana because voting is the one field Congress specifically asked it to investigate. Only one voting hearing has been held, but four hearings have been scheduled in the housing field where there seems far less chance of Federal corrective legislation.

In Alabama, the Commission was met by defiance. In Louisiana the staff was blocked by a state law which permits records to be viewed by qualified voters of the state and to be made generally public only upon petition of 25 Louisiana voters. The Commission staff couldn't meet the requirements. Lawyers said this state law would yield to subpoenas issued under authority of Federal law.

Complaints have been received from Louisiana Negroes who said they had been denied the right to register or vote solely because of race. Some have never been able to register. Many were crossed off the voting lists in th current campaign to purge Negro voters in the state.

Vote Suit Dismissal Upheld

The United States fifth circuit court of appeals Thursday upheld the dismissal of a suit brought by a Negro alleging that the registrar of voters of Ouachita parish discriminated against Negro voters by serving them in a room separate from whites.

James Sharp Jr., a Ouachita parish attorney, brought the suit against Mrs. Mae Looky, the registrar, for an injunction.

The court of appeals had previously reversed the district court for the western district of Louisiana, which granted the registrar's request for a summary judgment. The case was sent back to the district court for a hearing and the court again dismissed the suit.

Regarding the hearing, the court of appeals said:

"We are of the opinion that the record furnishes full support for the findings of fact and conclusions of law drawn therefrom by the district judge, and the granting of the extraordinary relief asked would have been an improvident exercise of a power which should be used sparingly, cautiously and only, as was not the case here, where both the right and the wrong claimed are clear and the necessity for the extraordinary relief of injunction is equally clear."

Vote Registrars Defy Civil Rights Probers

BATON ROUGE, Louisiana vote registrars in 19 parishes have defied the Federal Civil Rights Commission by flatly turning down a demand by that agency to answer 315 questions on registration in their parishes.

This action thwarted the agency's effort to investigate Louisiana's voting complaints "by mail."

Parishes which rejected the Civil Rights Commission questionaires included four which do not allow Negroes to register as voters. They are East Carroll, Madison, Tensas and West Feliciana parishes.

Others who defied the Commission are Bienville, Bossier, Caddo, Caldwell, Claiborne, Concordia, DeSoto, Iberia, Jackson, Morehouse, Ouachita, Rapides, Red River, Richland and Webster parishes.

THE QUESTIONS were posted in a 17-page form sent the registrars by the Commission, which states, "The attached questions should be answered by registrars in each of the following parishes."

The questions were to be answered by registrars in the areas where racial discrimination is allegedly used to keep Negroes from voting.

Eighty-eight Louisiana Negroes have volunteerd sworn statements on discriminatory vote denial to the Federal group which was set up by Congress primarily to investigate such voting complaints.

Civil rights staff director, Gordon Tiffany, Washington, D. C. and his chief investigator conferred with Gov. Earl K. Long and Atty.-Gen. Jack P. F. Gremillion and worked out the "investigation by mail" procedure.

Germillion, last week, sent a letter to Tiffany notifying him the questions contained in the forms sent out May 20 would not be answered.

Failure of the 19 vote registrars to comply with the "investigate-by-mail" agreement could possibly result in a full-scale civil rights hearing in Louisiana.

La. Registrar's Ouster Sought

(Special to The Times-Picayune)

COVINGTON, La. — The St. Tammany parish police jury reported it has petitioned Gov. Earl K. Long to remove Mrs. Robert J. Smith of Slidell as parish registrar of voters and to replace her with Thomas Steele, also of Slidell.

L. L. Landon, secretary, said that there would probably be no official confirmation of the action until the Governor's return to Baton Rouge Monday. The police jury ordinarily makes recommendations to the governor, who appoints the registrar upon the jury's recommendation Landon declared.

Mrs. Smith succeeded her husband in the post in January of 1955, following his death. She was fully conversant with the work of registrar of voters, having served as her husband's assistant for many years prior to his death, it was said.

A spokesman for the police jury said that a group of citizens from Slidell instigated the action against Mrs. Smith following several alleged arguments related to the Covington municipal election and the parish wide bond referendum.

The vote was nine for removal. C. M. Mainegra of Ward 9 and Archie Singleary of Ward 6 abstained. J. A. Thompson of Ward 3, was absent.

The jury also voted $9010 for for a photostat machine for the new courthouse, and $20,000 for air-conditioning the St. Tammany parish hospital here.

Southern groups rap ruling preventing Louisiana probe

ATLANTA — "We are not surprised that Judge Ben. C. Dawkins Jr. ruled as he did to prevent the Civil Rights Commission from holding its scheduled hearing on voter-registration infractions in the State of Louisiana," declared the United Christian Movement last week.

The statement, signed by Dr. C. O. Simpkins, went on to say that Judge Dawkins' opinion that registrars "might suffer irreparable injury" by appearing before the commission indicated that "the registrars must have something to hide."

It also was pointed out that the Federal judge is ignoring the "fact that colored persons of the state, who have been consistently denied the right to vote and purged arbitrarily from registration rolls, suffer real damages, not imagined ones."

Miss Ella J. Baker, executive director of the Southern Christian Leadership Conference, telegramed Sen. Thomas C. Hennings Jr. that Judge Dawkins' ruling is "a direct challenge to Congress" to enact legislation to effectively safeguard the right to vote.

34e 1959

LOUISIANA

Dramatic Registration Of Voters In Shreveport

250 Wait Patiently To Sign Up

By Raymond F. Tisby
For ANP

SHREVEPORT, La.—From all parts of the city and parish they came — old men, young men, old women, young women, ranging in age from 21 to 72, some 250 strong last Thursday in response to the "R-Day" call of the City-Wide Voter Registration drive. It was proof positive that Negroes are " more interested in efforts to become first class citizens than ever before," in the words of Dr. C. O. Simpkins, the president of the United Christian Movement, sponsor of the voter drive, in terming the mass registration effort a "big success."

Dr. Simpkins and other voter drive leaders termed the effort a "success" despite alleged delaying tactics which held registration to a minimum and were high in their praise of the vote-conscious group for remaining throughout the day and their willingness to return after being turned down.

Move At Snail Pace

Despite (or because) of publicity by the local daily press of the quietly promoted "R-Day" effort, some 250 Negroes, from all walks of life, filled the corridors of the Caddo Parish courthouse in an effort to become registered voters and remained throughout the day in spite of the snail's pace in which applicants were admitted to the registration office.

Because of the fact that only two persons were allowed in the registration office at one time and because of the average 40 minutes required by an applicant to fill out the registration forms—a procedure that normally takes less than five minutes—only 42 persons gained admission into the registrar's office with 18 being accepted and 26 being turned down.

However, thanks to the presence of a number of voter drive officials who were on hand to monitor the orderly crowd, the reasons for some applicants being turned down were rechecked and 22 were successful in registering the next day (Friday) to boost the two-day total to 40. Scores of others were registered before the registration books closed prior to a special election in April.

Would Double Voters

The mass registration effort was part of an effort to double the number of Negro voters in the city and parish. The drive was started shortly after a visit by Col. A. H. Rosenfeld, U. S. Civil Rights Commssion agent, with the parish registrar over voter complaints by 39 Negroes in North Louisiana.

The effort came in the midst of a Negro voter purge directed by State Senator Willie Rainach, the top segregationist in the state and director of the Louisiana White Citizens councils, who charges that 100,000 of the 180,000 Negro voters in the state are illegally registered.

Meanwhile in Montgomery (Ala.) the Citizens Council, alarmed after studying a statistical analysis of the city's recent elections, took out full page ads in the daily newspaper warning white voters to use their voting power to cut down on the Negro's influence in the community.

One such ad said in part:

Negro Votes All-Powerful

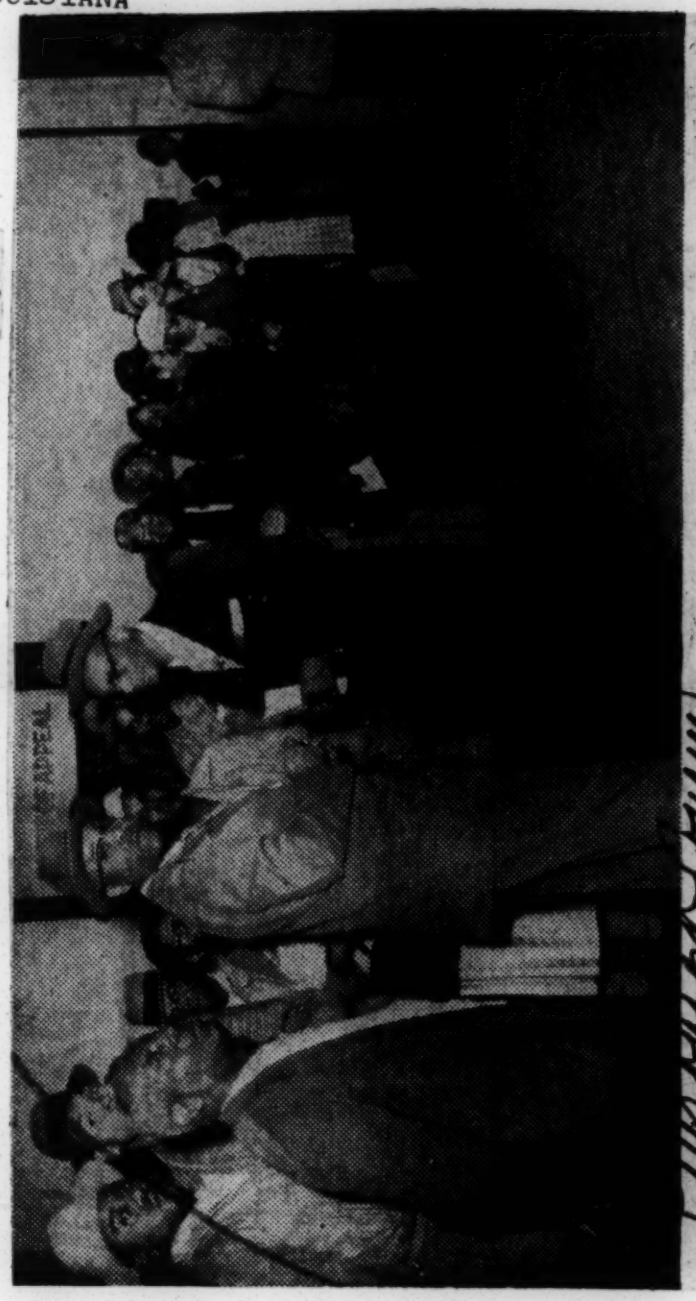
"No longer need we talk about some day in the future when Negroes, through increased registration, might be in a position to control the outcome of our elections, or about the balance of power they already exercise in some other cities. As of today, here in Montgomery, it is the few Negro votes, not the majority of white votes, which can determine who wins and who loses.

"The Council has had a statistical analysis and study made of a recent city election for the purpose of determining the extent to which Negro votes influence our elections and the results are alarming!

Have No Choice

"When we had the white primary we could afford to divide white votes anyway in the primaries, safe in the knowledge that whoever got the majority of white votes, even by the narrowest of margins, would be the victor. With the federal courts having destroyed our white primaries we are faced with this choice: we white voters may permit ourselves to divide nearly equally behind opposing candidates and concede to the Negro the power to elect or defeat either candidate by Negro votes; or we must nullify bloc voting of Negroes by bloc voting by whites, beginning now and probably continuing. There is no other way.

"Therefore, the board of directors of the Montgomery Citizens Council takes this unprecedented step and points out the necessity for bloc voting by white people, beginning now and probably continuing indefinitely through future elections.



Seek the Ballot— Despite obvious stalling tactics, more than 250 persons were allowed in the registration office at one time, and an average of 40 minutes was required to fill out registration blanks—a procedure that generally requires less than five minutes. With the Caddo Parish Courthouse in Shreveport, La., in response to the Mass Voter Registration Day called by the United Christian Movement in an effort to double the number of Negro voters in the parish. Part of the slow-up tactics was that only two persons were allowed in the registration office at one time, and an average of 40 minutes was required to fill out registration blanks—a procedure that generally requires less than five minutes. With the slow down a little more than 40 persons were successful in registering.

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LOUISIANA

Dramatic Registration Of Voters In Shreveport

250 Wait Patiently To Sign Up

By Raymond F. Tisby
For ANP

SHREVEPORT, La.—From all parts of the city and parish they came — old men, young men, old women, young women, ranging in age from 21 to 72, some 250 strong last Thursday in response to the "R-Day" call of the City-Wide Voter Registration drive. It was proof positive that Negroes are " more interested in efforts to become first class citizens than ever before," in the words of Dr. C. O. Simpkins, the president of the United Christian Movement, sponsor of the voter drive, in terming the mass registration effort a "big success."

Dr. Simpkins and other voter drive leaders termed the effort a "success" despite alleged delaying tactics which held registration to a minimum and were high in their praise of the vote-conscious group for remaining throughout the day and their willingness to return after being turned down.

Move At Snail Pace

Despite (or because) of publicity by the local daily press of the quietly promoted "R-Day" effort, some 250 Negroes, from all walks of life, filled the corridors of the Caddo Parish courthouse in an effort to become registered voters and remained throughout the day in spite of the snail's pace in which applicants were admitted to the registration office.

Because of the fact that only two persons were allowed in the registration office at one time and because of the average 40 minutes required by an applicant to fill out the registration forms—a procedure that normally takes less than five minutes—only 42 persons gained admission into the registrar's office with 18 being accepted and 26 being turned down.

However, thanks to the presence of a number of voter drive officials who were on hand to monitor the orderly crowd, the reasons for some applicants being turned down were rechecked and 22 were successful in registering the next day (Friday) to boost the two-day total to 40. Scores of others were registered before the registration books closed prior to a special election in April.

Would Double Voters

The mass registration effort was part of an effort to double the number of Negro voters in the city and parish. The drive was started shortly after a visit by Col. A. H. Rosenfeld, U. S. Civil Rights Commssion agent, with the parish registrar over voter complaints by 39 Negroes in North Louisiana.

The effort came in the midst of a Negro voter purge directed by State Senator Willie Rainach, the top segregationist in the state and director of the Louisiana White Citizens councils, who charges that 100,000 of the 180,000 Negro voters in the state are illegally registered.

Meanwhile in Montgomery (Ala.) the Citizens Council, alarmed after studying a statistics analysis of the city's recent elections, took out full page ads in the daily newspaper warning white voters to use their voting power to cut down on the Negro's influence in the community.

One such ad said in part:

Negro Votes All-Powerful

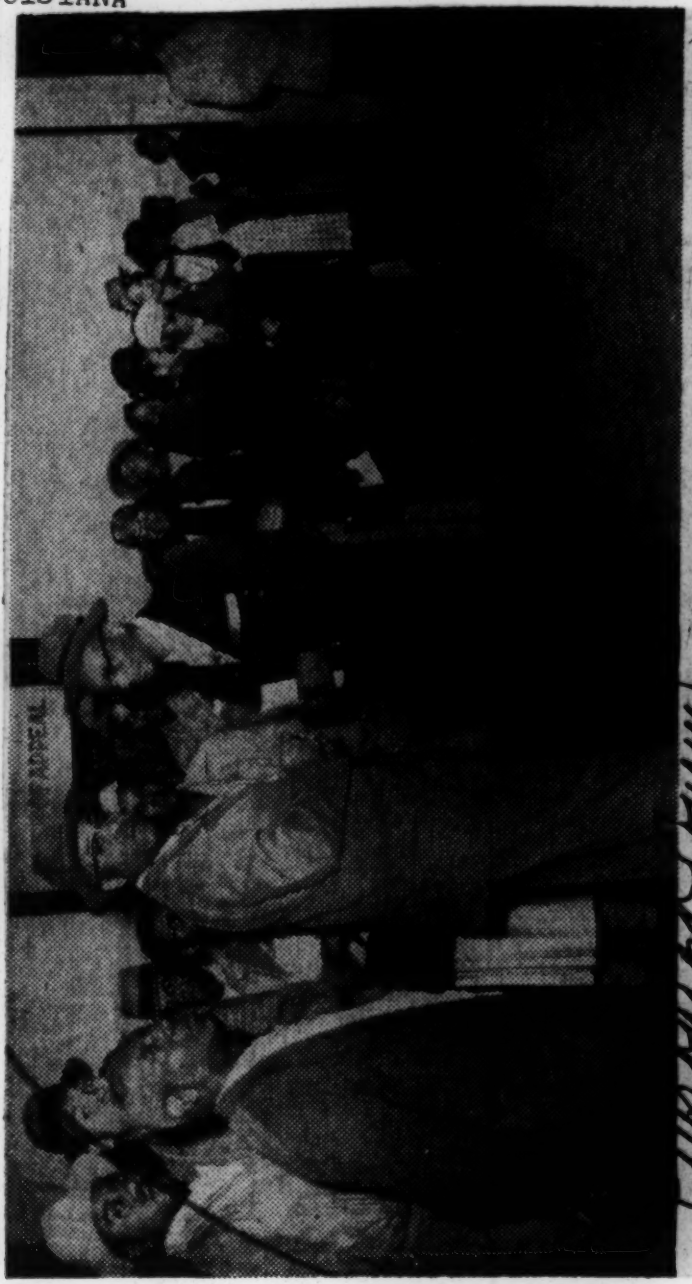
"No longer need we talk about some day in the future when Negroes, through increased registration, might be in a position to control the outcome of our elections, or about the balance of power they already exercise in some other cities. As of today, here in Montgomery, it is the few Negro votes, not the majority of white votes, which can determine who wins and who loses.

"The Council has had a statistical analysis and study made of a recent city election for the purpose of determining the extent to which Negro votes influence our elections and the results are alarming!

Have No Choice

"When we had the white primary we could afford to divide white votes anyway in the primaries, safe in the knowledge that whoever got the majority of white votes, even by the narrowest of margins, would be the victor. With the federal courts having destroyed our white primaries we are faced with this choice: we white voters may permit ourselves to divide nearly equally behind opposing candidates and concede to the Negro the power to elect or defeat either candidate by Negro votes; or we must nullify bloc voting of Negroes by bloc voting by whites, beginning now and probably continuing. There is no other way.

"Therefore, the board of directors of the Montgomery Citizens Council takes this unprecedented step and points out the necessity for bloc voting by white people, beginning now and probably continuing indefinitely through future elections.



Seek the Ballot—Despite obvious stalling tactics, more than 250 persons were on hand at the Caddo Parish Courthouse in Shreveport, La., in response to the Mass Voter Registration Day called by the United Christian Movement in an effort to double the number of Negro voters in the parish. Part of the slow-up tactics was that only two persons were allowed in the registration office at one time, and an average of 40 minutes was required to fill out registration forms—a procedure that generally requires less than five minutes. With the slow down a little more than 40 persons were successful in registering.

Only Votes Make Democracy Work

Recent statistics by the Registrar of Voters revealed that there are 181,717 eligible voters in this city that are not registered on the registration rolls. Of this 181,717 potential and eligible voters, 86,450 are non-white (Negroes) and 95,267 are white. Of the 193,720 registered voters of this community 162,275 are white and 31,477 are non-white, (Negroes).

We have a potential of 86,450 votes to add to the already 31,447 we now have on the registration books which means we could have a voting streng h of 117,897 in the City of New Orleans.

118,000 votes would help no end in correcting many, many complaints we have now about no jobs in City Hall, no members on the School Board, no members on the Housing Authority's Board, and no representation on other boards that help in administering the affairs of our local city government.

Despite the fact that this is a democracy in which we live, it so happens in this community that Negroes have none, if any, important jobs in the city government. The jobs not covered by Civil Service, go to those who deliver the vote for the political machine that happens to be in power. In other words it takes votes to make democracy really work.

There are at least 86,450 Negroes in this community who are failing themselves and the community by not registering and voting. They are allowing themselves to be kicked, pushed around and insulted by white supremacy politicians. They are defrauded out of rights and privileges that are inherent to all American citizens simply because they are indifferent and haven't the courage to want to make democracy work. They will cheer on the sidelines for the African brother who's fighting and dying for his freedom, independence and respect, but will hardly trouble themselves to go down to register and become a qualified voter. This type of person assumes that he is beat from the start and that there is nothing to be gained by becoming a qualified voter.

Despite the fact that athletes, actors, artists of tan hue seen on TV in truly democratic situations are reflecting more credit to the cause of democracy than the likes of race haters and white supremacy racketeers like Rainach, Perez, Eastland, and etc., too many "silent" and "voteless" people, black and white, let the bigots dominate the political scene.

The white supremacy politician knows his days are over for exploiting the poor whites and poor blacks once the potential voting strength of Negroes is achieved in the South. These political racketeers are no different from labor racketeers. They are desperate and resorting to all kinds of tactics to keep the Negro from voting and out of politics.

Fortunately, in this community there are city-wide vote registration drives being conducted by all major political factions, white and black, partisan and non-partisan. With this community wide interest in registering and voting, we hope the thousands of heretofore indifferent eligible voters will avail themselves the opportunity to become registered voters and participate in the affairs of our city government by voting in every election.

Voting Investigating Delayed In Louisiana

WASHINGTON — (ANP) — The Civil Rights Commission has postponed until May the decision on whether it will hold hearings on voting complaints coming out of Louisiana. In the meantime the Staff Director Gordon Tiffany has been instructed to "pursue every possible avenue" to obtain all essential facts for an adequate report of all voting complaints in that state.

A spokesman for the commission said they had already received 71 complaints on voting violations which were legally sufficient for investigation. So preliminary overtures were made by the investigators to obtain registration records.

But the Commission staff ran into a law which prohibits anyone from seeing the voting records except a registered voter bearing a petition, signed by 25 registered voters.

This situation was different from that which they encountered in Alabama where the records were withheld by state officials. The staff made its report to the Commissioners at their meeting in Atlanta.

Meantime the Commissioners instructed the staff to "exhaust every remedy" to obtain all essential facts for an adequate report without having to go into extensive and expensive hearings. Their additional findings will be presented to the Commissioners at the meeting to be held in Chicago on May 9, when a decision will be made on whether hearings will be held.

PURGE OF NEGRO VOTERS STILL ON

Bogalusa Pair Is Examining Rolls

FRANKLINTON, La. (UPI) — Curtis M. Thomas, registrar of voters in Washington Parish, reported Monday two men from Bogalusa, La., were conducting a purge of Negro voters registered in the parish.

Thomas said the two, Ray McElvin and Billy Jean Farmer, both of Bogalusa, were examining the voter rolls periodically and had challenged some 300 voters within the past three weeks.

State Sen. W. M. Rainach, former president of the National Citizens Council Organization and a militant segregationist, headed a delegation of council members at a hearing here several weeks ago.

Judge Robert D. Jones ruled the citizens council members had a right to examine the registration rolls and challenge voters.

He ordered Thomas to open his books to any qualified voter registered in the parish.

Thomas said the two men, McElvin and Farmer, were challenging names on the rolls on the basis of "anything from an incorrect computation of the registrant's age to a mispelled word."

He said the two visited his office "for a couple of hours, one day each week."

Unider Louisiana law, an affidavit sworn to by any two registered voters of a parish requires the registrar to notify the person whose right to vote is challenged.

The challenged voter must appear in person before the registrar within 10 days with another affidavit signed by three qualified voters in order to prove his right to vote.

If not, the voter's name is removed from the rolls.

Orleans Registrar Notifies 2500

More than 2500 registered voters of Orleans parish have been notified that their names will be removed from the registrar of voters registration rolls unless they notify Louis Knop, Jr., Registrar of Voters.

Notices were mailed Thursday (June 11), and names were published Thursday and Friday in the States-Item, which is the official journal, announced Knop.

According to Knop most of those concerned are presently registered in the Ninth Ward, but some few are located in other wards.

In addition to registrants who have moved, notices are being sent to some 500 women of the city who have married without notifying the registrar of the changes in their names.

Their names will be removed from the rolls unless they appear in person at the registration office, Room 1EO, City Hall, to complete the change within 10 days.

Individuals whose addresses need to be corrected may notify the registrar by mailing a postcard to the registrar listing both their old and new addresses along with the date they moved. The card must be signed by the voter.

Removal of the names of individuals who have moved unless the registrar of voters is notified is required under the state permanent registration law.

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LOUISIANA

Accuse White Citizens Councils

WASHINGTON (NNPA) — A suit to enjoin the purging of colored voters in Washington Parish (County), La., has been filed in the Federal District Court at New Orleans, Attorney General William P. Rogers announced Monday.

Named as defendants in the suit are the White Citizens Council of Washington Parish, Curtis M. Thomas, parish registrar of voters, and Diaz D. McElveen, E. Ray McElveen, Saxon Farmer and Eugene Farmer.

The latter four persons were named as individuals and were also to be officers and members of the White Citizens Council.

The suit was brought under the 1957 Civil Rights Act. It is the third suit brought under that Act. In the other two cases, portions of the act were held unconstitutional. Appeals in those cases are pending in the Supreme Court.

The Louisiana suit is the first to involve removal of already qualified voters from the rolls.

* * *

THE PRACTICE attacked by the complaint is the challenging of the legality of the registration of colored voters for the purpose of racial discrimination. The actions of the defendants were said to violate Federal law and the 14th and 15th Amendments to the Constitution.

According to the complaint, the numbers of voters registered in Washington Parish on the dates indicated were:

Oct. 6, 1956, 1,843 colored compared with 15,529 whites; Nov. 4, 1958, 1,517 colored compared with 11,444 whites, and June 16, last, 226 colored compared with 11,426 whites.

The complaint states that under Louisiana law any two bona fide registered voters of a parish have authority to challenge the right of a person to remain on the voter registration rolls.

From Nov. 4, 1958, to last June 16, the individual defendants were said to have filed with the registrar 1,377 affidavits challenging the registration status of colored voters, and 10 affidavits questioning the legality of the registration of white voters.

IN DOING this the individual defendants were alleged to be agents of the state since the Louisiana law gives registered voters authority to perform the state function of investigating and making an initial determination whether pesons are qualified to vote."

The complaint described the affidavits as "almost without exception based on minor technical deficiencies in registration records, such as minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision, and allegedly illegible handwriting."

Almost no challenges of white voters were made based on the same technical deficiencies.

As a result of the challenges the names of the challenged voters were stricken from the registration rolls.

The complaint charged that the registrar who struck the voters' names knew that the purpose of the affidavits "was to effect discrimination based on race or color" against colored voters.

* * *

THE ACTS of the individual defendants were carried out at the direction and under the control of the White Citizens Council, the complaint said. The Council was said to act pursuant to a state-wide program of allied organizations to remove colored persons from voting rolls.

The complaint seeks:

1. To enjoin the individual citizens and the White Citizens Council from initiating affidavits of challenge for the purpose of racial discrimination.

2. To enjoin the registrar from giving legal effect to the challenges or future challenges intended to discrimination.

3. To permit those voters illegally challenged and removed to be reinstated without reregistering.

* * *

"THIS SUIT is directly aimed at discriminatory purging of voters for racial reasons," assistant Attorney General W. Wilson White, in charge of the Civil Rights Divsion, said, adding:

"It is the Government's position that the use of the Louisiana challenge law to disfranchise colored citizens for technicalities while allowing white voters with the same technical defects in their registration papers to remain unchallenged is a violation of the Civil Rights Act of 1957."

Vote Registrar Blasts Rainach

Winnfield, La.—(Special To The Weekly)—A Winn parish vote registrar tossed a timely verbal punch at segregation leader W. M. Rainach here Monday and later departed for a "vacation."

Mrs. Mary C. Flournoy charged Rainach with "creating a rabble rousing mess."

Shortly before her blast on Rainach, Mrs. Flournoy told Stanley J. Smith, Citizens Council president and Hiram Wright, attorney for the segregation group, that more voter challenges would be accpeted until she returned from vacation, August 28.

According to the elderly registrar, segregation leaders wanted herto "follow the book" when it "suited their purpose," but not when it conflicted with their "ploitical aims."

Last week, Mrs. Flournoy issued 34 challenges of which 32 involved Negroes, but she "closed shop", at least temporarily, when the two citizens council leaders visited her Monday.

Judge Dawkins' Ruling Against Registrars Hit

In the view of legal observers, Federal Ben C. Dawkins' restraining order, blocking the U. S. Civil Rights commission from conducting hearings July 13 on complaints of violation of voting rights of Negroes by white registrars in 16 Louisiana parishes, left unanswered several important questions.

It also raised speculations that the move was merely a stall for time.

Judge Dawkins, while showing great concern — his opinion covered eight newspaper columns, most of which were devoted to the protection of the rights of plaintiffs — for the registrars whom the commission wanted to question concerning complaints centering on the purging of Negroes from voting rolls in the parishes, completely ignored the rights of Negro complainants

IGNORES PLAINTIFFS

In fact, the jurist made only casual references to the "..... 67 persons scheduled to testify." Too he evidently did not take into account how much the hearing meant to Negro Americans seeking relief from political pressure.

That concern was recognized even by the U. S. Congress in passing, in 1957, the law setting up the commission.

Judge Dawkins, it seems, went out of his way to make a case for the registrars. He went further. He asked a three-judge federal court to be convened July 22, to pass on the constitutionality of the act setting up the commission.

The registrars and state officials, in answer to whose suits Judge Dawkins granted the temporary injunction, are the same persons who have been defying the commission since last December. At that time, the commission, after receiving numerous complaints from Negroes in northern Louisiana, tried to look into the charges by inspecting the records. However, the registrar, aided and abetted by Louisiana pro-segregationist Atty. Gen. Gremillion, vigorously resisted the commission. Thus, the commission has no recourse but to call a hearing and subpoenaed witnesses to testify. The right body also requested that records be produced, but the registrar ducked behind a state statute forbidding them to do so.

COMMISSION A "LAW COURT"

In his opinion also, Judge Dawkins virtually considered the commission a court of law. He did not say so directly, but dwelt at length with the contention that the registrars would not be permitted to cross-examine complainants. He did not mention, however, that both Negro and whites were to testify at the hearing.

By its very nature, the Civil Rights commission is not a court although Judge Dawkins called its conduct of hearings, "..... quasi-legal." It has no enforcement powers and only make recommendations to the President and Congress.

On one point, however, Judge Dawkins favored. He refused to go along with the plaintiffs' contention that producing records as requested by the commission would subject them to criminal action by the state. He said the state law permitted them to submit records only upon order of a "competent court," and under the law, that body would have to resort to the federal court in order to force compliance.

The ruling followed closely an attempt by Dixiecrat members of the Senate Judiciary subcommittee to kill a pending civil rights bill, affecting the life of the commission. The bill squeaked through the committee by a vote of 4-2.

It is believed that not only will the court uphold the constitutionality of the commission, but Judge Dawkins' ruling will be thrown out.

Judge Dismisses Voter Purge Suit

Technicality Cancels Effort By Citizens' Council

WINNFIELD, La., Aug. 21.—(UPI)—A district judge Friday threw out of court the Winn Parish Citizens' Council's suit to force the voting registrar to co-operate in its voter purge.

Judge H. L. Allen dismissed the case on a technicality which was cleared up shortly after the hearing ended. Council member Hiram Wright said he probably would refile the suit later.

The case was dismissed because Mrs. Mary Flournoy, the registrar, had not signed the challenges as required by law. Mrs. Flournoy has refused to honor them and the suit was filed to force her to mail the challenges out.

However, Mrs. Flournoy ordered her deputy, Mrs. Lottie Tullos, to sign the challenges after the case was dismissed Friday. Mr. Wright said he would now wait the required 48 hours to give Mrs. Flournoy time to mail the challenges out. If she doesn't, he said, he would refile the suit. Eight challenges were involved.

Mrs. Flournoy said she would not act until she received the advice of her attorney, Camille Gravel of Alexandria.

Vote Registrar Blasts Rainach

Times-Picayune
Winn Official Vacations
in Face of Purge
New Orleans, La.
By ROBERT WAGNER
(Times-Picayune Staff Correspondent)
Sun. 8-4-59

WINNFIELD, La.—Winn parish voter registrar Mrs. Mary C. Flournoy took "a vacation" Monday, after charging segregation leader W. M. Rainach with "creating a rabble rousing mess."

The elderly registrar told citizens council leaders here Monday morning that no more voter challenges would be accepted until she returned from vacation Aug. 28.

Segregation leaders, she said, wanted her to "follow the book" when it "suited their purpose" but not when it conflicted with their "political aims."

She declared that her position had nothing to do with the presence in town of Gov. Earl K. Long, who said Sunday that most Negroes removed from Louisiana registration rolls would be restored by election time.

"He knows better than to try to tell me what to do," she said. The governor himself would be removed from the rolls if "defects" were found in his card, she added.

ISSUED CHALLENGES

Mrs. Flournoy issued 34 challenges last week, of which 32 involved Negroes, but she drew the line, at least temporarily, when two citizens council leaders visited her Monday morning.

They were Stanley J. Smith, council president, and Hiram Wright, attorney for the segregation group. Both, she said, intended to run for public office.

"If they challenge impartially, they'll get 92 per cent of my people." She expressed the opinion that the purging would not be done impartially, unless she forced them to do so.

Smith and Wright departed Mrs. Flournoy's office with the declaration they would seek a court order forcing her to accept more challenges immediately.

NO INDICATIONS

But there were no immediate indications that steps were being taken to get the court order, either against Mrs. Flournoy, or her deputy registrar, who would officiate in the absence of the registrar.

"We'll be back on the 28th or earlier," declared Wright.

"We've been co-operating with her, and she invited us here this morning, then stalled us off," declared Smith.

Wright denied Mrs. Flournoy's assertion that segregation leaders, on orders from Rainach, had begun challenging for "minor" errors, after promising to confine themselves to "major" errors.

"Any card with a major defect will be challenged," he declared.

Mrs. Flournoy said that Rainach "came in here last Monday (July 27), and told them to get tough.

"I could see some of them fellows didn't like it — that challenging for minor errors."

CORRECTED CARDS

She said the challengers themselves had been permitted to correct "minor errors" in their own cards, with the understanding they would not use such defects as a basis for removing others.

"This office has been continuously harassed and pestered by those people," she said.

"I'm for segregation right down the line. But I have a job to do, and I intend to be fair, or I won't be here."

She said, "they think they'll tangle me up, but they are going to have trouble. They have stooges who hang around my door and window."

She said the segregation leaders had "stirred the colored people up, and they are not doing any good. They'll all be right back to re-register."

Winn parish has about 5700 registered voters, of which about 700 are Negroes.

Mrs. Flournoy said that discrimination evidently was used in removing the two white persons from the rolls. They were challenged, she said, after their ward had already been "cleared."

NAMES REMOVED

The white persons removed were Mr. and Mrs. Jessie Welch, of Ward 5, precinct 2. Four other white voters had been removed early in the year, when a total of 29 challenges were issued.

On the other hand, she said, they had refused to issue challenges to other white voters with "major defects" in their cards.

"I'm going to have this run according to law," she said. "Rainach told me if I can't fail them any other way, I could pull those constitution-reading cards on them.

"I wrote the attorney general about that and he said I could use them, but not for discrimination."

Since it has "come to a fight," she said, "I'm sure they'll have to remove everybody in order to get those they want off the rolls."

Some time ago Mrs. Flournoy was the center of a registration dispute between Rainach, on the one hand, and Winn parish Rep. Ashton Collier and Long, on the other hand. As a result, Mrs. Flournoy had promised Rainach to "follow the book."

Arkansas Joins

Three-Judge Court To Try La. Challenge

Courier
Pittsburgh, Pa.
Sat. 8-1-59

SHREVEPORT, La. — The State of Arkansas has received permission to join Louisiana in a Federal court challenge of the Civil Rights Commission. The hearing is scheduled for Aug. 7 before a special three-judge Federal court.

The challenge was filed by Atty. General Jack P. F. Gremillion two weeks ago to block the proposed July 13 Civil Rights Commission probe of some 67 complaints that voting rights of Negroes have been violated by 17 vote registrars in Louisiana.

Attorney General Bruce Bennett of Arkansas asked the court for permission to file a brief in support of Louisiana's testing the legality of the Civil Rights Commission.

FEDERAL JUDGE Ben C. Dawkins Jr., who granted the injunction filed by Gremillion and blocked the July 13 hearing, also granted permission to Bennett last week. He said:

"Have consulted with Judge Hunter and we hereby grant permission for you to file brief amicus curiae as requested."

The special three-judge Federal court which will consider the charge by Gremillion that the 17 vote registrars are being deprived of their rights by being ordered to testify, includes Judge John Minor Wisdom, New Orleans, of the U. S. Fifth Circuit Court of Appeals; U. S. District Judge Edgar Hunter Jr. and U. S. District Judge Dawkins.

Mrs. Flournoy asserted that the challengers themselves had been permitted to correct "minor errors" in their own cards, with the understanding they would not use such defects as a basis for removing others.

Later she pointed out that her office had been continuously harassed andpestered by those people. They think they'll tangle me up, but they are going to have trouble.

She said the segregation leaders had "stirred the colored people up, and they are not doing any good. They'll all be right back to re-register."

There are 5700 registered voters in Winn Parish. About 700 of this number are Negroes.

At the same time, Rep. Gravolet, a Leander Perez supporter, was announced as supporting the candidacy of Jimmie Davis instead of Sen. Rainach, the White Supremacy candidate for Governor and arch segregationist. This indicates Perez thinks Rainach can't win and is therefore dumping him.

'Tragic-comic story' provokes Louisianans

SHREVEPORT, La—Friends grimace when they tell what they call a "tragic - comic story" about M. M. Coleman, president of the North Louisiana Christian Alliance, which is in the drive to register citizens to vote in the state.

Mr. Coleman, a funeral director, met State Sen. J. Wimpy Jones on the street one day in Minden, a town in Webster Parish where both are residents.

"Senator, when can we expect an answer on the question of registering our people?" Mr. Coleman inquired after they had exchanged pleasantries.

"I think the best people of both races ought to get together and discuss this matter," Mr. Jones said, giving the impression that the question would be dealt with in conference.

* * *

IT WAS with much astonishment that Mr. Coleman later recounted his arrest to friends. He was even more astonished when a grand jury indicted him on a charge of "public intimidation of a state official."

The incident happened over a year ago, but his friends recall it as though it occurred yesterday.

A reason for that is Mr. Coleman faces trial on the charge. It is a case on the docket to be brought up for trial date on the court calendar.

Meanwhile, Mr. Coleman goes on with his work as president of the alliance, which t[illegible] in nine parishes in the [illegible]

EDWARD PEEKS

Registrar Gives Rule for Office

(Special to The Times-Picayune)

OPELOUSAS, La. — A new rule was imposed Friday by the St. Landry registrar of voters in her office.

Miss Ruby Ryder, registrar, said effective immediately ,only one person at a time will be allowed in the office to register.

"If the room is filled with people and one is having difficulty filling his card, it is human nature for others to try and assist," she explained.

She said she is permitted by law to invoke the rule.

Miss Ryder and her deputies, Mrs. Ruby Blanchard and James Joubert, were served Friday with legal papers in a suit filed against them in U. S. district court in Shreveport Wednesday.

The suit asks the court to issue a temporary injunction restraining the registrar and her staff from interfering with the work of a local committee which is examining the registration rolls in a voter registration purge. The suit was filed by Dr. Emile Ventre, Harry Kron and Mrs. Geraldine Welch, all of Opelousas, members of the committee.

Sue To Halt Vote Purge

WASHINGTON — (UPI) — The Justice Department announced Monday that a suit has been filed to enjoin the purging of Negro voters in Washington Parish, La.

Attorney General William P. Rogers said the suit was filed in federal district court at New Orleans. Defendants in the case were the White Citizens Council officers, named as individuals.

It was the third action brought under the Civil Rights of 1957. It is the first suit involving alleged removal of already qualified voters from the rolls.

The complaint charged that the number of Negro voters in the Parish declined from 1,843 to 236 between October, 1956, and June 16, 1959.

During that same period the number of white registered voters dropped from 15,529 to 11,436.

Civil Rights Group Expecting New Complaint Flurry

WASHINGTON (UPI) — The civil rights commission expected a new flurry of complaints today following its decision to conduct public hearings on charges Negroes were denied voting rights in Louisiana.

The six-member commission disclosed yesterday that it has 68 complaints from nine parishes (counties) in the northwestern section of the state. It scheduled hearings because of the refusal of officials in Louisiana to let its investigators inspect voting records.

One official of the commission said he anticipated more charges of racial barriers to voting will be received before the hearing begins July 13 in Shreveport, La.

Indications were that the Louisiana complaints generally accused parish registrars of requiring Negroes to pass stiffer tests than whites in order to register or vote.

That was the allegation in Alabama, where the commission held two-day hearings last December. It finally got access to voting records after a battle in the federal courts.

The commission has no power to order registration or voting rights of Negroes. It does have authority to conduct fact-finding investigations and make recommendations to the Congress for new legislation in this field.

Commission teams began probing the Louisiana charges months ago. Hearings were ordered only as a last resort after other methods of getting the voting information failed.

In the past, the arrival of federal agency investigators has triggered more accusations from Negroes who claim they were denied the right to the ballot because of color.

Segregation Suit Scuttled In Louisiana

WINNFIELD, La. (AP) — A district judge Friday dismissed a suit filed by the pro-segregation Winnfield Citizens Council asking the court to force the parish registrar of voters to honor challenges filed last week.

District Judge Harwell Allen upheld a contention by Attorney Camille Gravel of Alexandria that no oath was administered to the two men who filed the challenges.

Hiram Wright, who represented the Citizens Council at Friday's hearing, and Council President Stanely Smith filed the eight challenges—most of them involving Negroes—with Mrs. Mary Flournoy, the parish voter registrar.

Mrs. Flournoy at the time told the men she would not honor the challenges on advice from Gravel.

Gravel won the dismissal after the court turned down three exceptions. Judge Allen called a recess to give Wright time to prepare against Gravel's move, but Wright could not stop the action.

Gravel was joined by J. Y. Fontenot, St. Landry parish district attorney, who represented his parish registrar at a similar hearing in federal court recently. The court threw the case out because of no original jurisdiction.

This could be the second public hearing into alleged discrimination in voting because of race.

Probe Voting In 7 La. Parishes

WASHINGTON, D. C. — (UPI) —The Civil Rights Commission said last week it will conduct public hearings in Shreveport, La. next month to investigate charges by 68 Negroes from seven parishes (counties) in Northwest Louisiana that they have been denied voting rights.

A spokesman said the hearings were ordered after state officials refused to allow commission investigators to examine voting records. The commission voted to begin public hearings July 13.

Vote Official Subpoenaed In Louisiana

BATON ROUGE (AP) — The Federal Civil Rights commission Wednesday began serving subpoenas on north Louisiana voter registrars for a July 13 hearing at Shreveport, La.

Atty. Gen. Jack Gremillion of Louisiana said the commission served Miss Winnie Clement, registrar of voters for Webster Parish, at Minden.

"She is the only registrar they have served so far as I know, but I am sure others will follow," Gremillion said.

"Now that the subpoena has been served," he said, "we are in more of a position to know course will remain confidential — which legal course to follow. That as information between a person and his attorney.

"We've got several committees of attorneys working on various phases of the case," he said.

At least nine registrars are scheduled to go before the commission in a probe of scores of voting complaints filed by Negroes. The Negroes, so far unidentified, claim their voting rights have been denied because of race.

It was understood the registrars are being told to bring their office registration records to the hearing.

TO SPEAK IN PARK - Ernest J. Wright, Director of Peoples Defense League and commonly referred to as the "Man of the People" will begin a series of talks on registration and the power of the ballot on Sunday, September 6 at 4:00 p.m. in the Shakespeare Park. The park is located on Washington and LaSalle Streets.

VOTE CHALLENGE SUIT DISMISSED

Gravel Contention Upheld by Judge Allen

WINNFIELD, La. (AP)—A district judge today dismissed a suit filed by the pro-segregation Winnfield Citizens Council asking the court to force the parish registrar of voters to honor challenges filed last week.

District Judge Harwell Allen upheld a contention by attorney Camille Gravel of Alexandria that no oath was administered to the two men who filed the challenges.

Hiram Wright, who represented the Citizens Council at today's hearing, and council president Stanley Smith filed the eight challenges—most of them involving Negroes—with Mrs. Mary Flournoy, the parish voter registrar.

EXCEPTIONS DENIED

Mrs. Flournoy at the time told the men she would not honor the challenges on advice from Gravel.

Gravel won the dismissal after the court turned down three of his exceptions. Judge Allen called a recess to give Wright time to prepare against Gravel's move but Wright could not stop the action.

Gravel was joined by J. Y. Fontenot, St. Landry Parish district attorney, who represented his parish registrar at a similar hearing in federal court recently. The court threw the case out because of no original jurisdiction.

After the hearing was over, Mrs. Flournoy, who refused to honor the challenges, nevertheless had them signed by her deputy; but she apparently still refused to honor them.

Wright said he would wait 48 hours for Mrs. Flournoy to mail out the eight disputed challenges. If she doesn't, he said, he will re-file the suit.

Mrs. Flournoy said she will act on the advice of her attorney. Gravel said, "We'll take the position we took before."

LA W'DEFECTIVE'

"The law (allowing voter purges) is defective for a number of reasons, and we are telling Mrs. Flournoy not to send out the challenges until a complete test of he validity of the law has been made in the courts."

The purge opened July 27 in what Mrs. Flournoy has termed a political move by gubernatorial aspirant William Rainach.

She said, "Willie Rainach is telling these boys (council members) what to do and they're wiggling like puppets."

Several weeks ago, Mrs. Flournoy accused the council of challenging voters on minor technicalities and in other cases overlooking the same technicalities.

After that she locked her office and the council had to file suit against her to get to the voter rolls. Judge Allen ruled that according to state law she must let any qualified voter inspect the records.

Of the 42 challenges known to date, only two have been of white voters.

GRAVEL BLASTS RAINACH CHARGE

Says Senator Won't Be in Governor's Race

(Special to The Times-Picayune)

ALEXANDRIA, La. — Democratic national committeeman Camille Gravel said Tuesday state Sen. W. M. Rainach will not be around for the fireworks in the gubernatorial election.

"He will sit it out," Gravel said. "I predict without reservation that he will not have the nerve to test his political weakness in a statewide vote for the office of governor."

Rainach's headquarters in Shreveport said "not only will the senator be in the first primary, but because he is in it, it's likely to be the only primary."

Gravel made his prediction shortly after he returned from Washington. While Gravel was in Washington last week, Rainach issued a statement accusing Gravel of "trying to grab control of the Negro vote."

The accusation came after Gravel announced that he would defend Winn parish registrar of voters Mary Flournoy in her battle over voter challenges with the Winn parish citizens council.

Gravel said "nothing could be further from the truth. But I will do all I can as a lawyer to see that the courts control the Rainachs of Louisiana who are trying to deprive hundreds of thousands of people of their fundamental right to vote."

Gravel also renewed his challenge to Rainach to meet him in a statewide race for national committeeman.

Meanwhile, Rainach challenged Gravel to a race for governor. Rainach is an announced candidate.

Gravel said Rainach's name "will not be on the ballot when the qualifying period expires."

No Quick Decison In Vote Suit

Shreveport, La. -- The litigants in Louisiana's Civil Rights case were given an additional ten days in which to file supplemental briefs. The action was taken following a three-judge federal court hearing here Friday which included several hours of oral debate and arguments by attorneys for the federal commission on civil rights and state attorney general Gremillion.

Gremillion is acting as general counsel for 17 registrars of voters charged by the commission as "being named by several Negroes in suits that they were being denied their constitutional rights of voting because they were Negroes."

Appeals court judge John Minor Wisdom announced the 10-day extension for the three-judge court. In making the announcement Wisdom cautioned both parties involved in the history-making episode "not to expect an early decision."

Judge Wisdom's announcement drew protest from the civil rights commission based on the contention that "the commission has until Sept. 9, 1959, to make its final report to Congress, and it expires 61 days thereafter."

According to the justice department an injunction will make it impossible for the commission to carry out in Louisiana the duty which it had been charged even if an appeal would indicate that the injunction had been properly granted."

In addition to Judge Wisdom, the other two judges were U. S. district judges Ben C. Dawkins, Jr. and Edwin F. Hunter, both of Shreveport. Atty. Gen. Jack P. Gremillion represented the state and U. S. assistant attorney general W. Wilson White argued the case for the government.

The hearing was set for July 13, but was blocked by a preliminary restraining order issued by Judge Dawkins following a plea by Gremillion that under the rules and procedures adopted by the commission, the registrars would be deprived of their constitutional rights.

1050 VOTERS TO FACE CHALLENGE

Notices Being Sent to Twelfth Warders

Approximately 1050 persons in the 12th Ward will receive notices in the mail Thursday to appear at the office of the registrar of voters to show reason why their names should not be dropped from the rolls.

Registrar Louis Knop Jr. said an additional 40 or 50 persons from eight other wards also would receive notices. All of the persons failed to notify his office of a change of address, he said, and would be ineligible to vote unless a correction were made.

The deadline for completing the change of address is Aug. 24, 10 days from the date of the notice.

A list of the names also will appear in an advertisement in The Times-Picayune Thursday and Friday.

"If the persons fail to appear by Aug. 24," Knop said, "their names will be erased from the rolls. Then they'll have to register all over again if they want to vote.

"But if they appear within the 10-day limit, all they have to do is fill out a removal affidavit, changing the address, or prove they are still living at the address where they are now registered."

Knop said if a person notified had not moved, he would have to appear anyway and have three registered voters of the parish declare, under oath, that the old address was accurate.

In addition to the 12th Ward, persons who live in the Third, Seventh, Ninth, 10th, 11th, 13th, 14th and 16 Wards will be called.

Denial Of Ballot More Vicious

In recent weeks there has been increasing pressures to pass harsh anti-labor legislation because of the many alleged indiscretions of Jimmy Hoffa, the Teamsters' Union boss.

Senate Rackets Counsel, Bob Kennedy, has conducted a running fight in the press daily exposing and accusing Hoffa of practically everything short of murder in the handling of Teamster's affairs. According to Kennedy the whole labor movement is in jeopardy because of what Hoffa allegedly has done in the management of Teamster Union affairs.

In other words, according to the Senate rackets committee all of labor must suffer because of Hoffa who has been accused of practically everykind of wrong doing during the past two years by the committee but never actually indicted and convicted of anything. Regardless, of whether Mr. Hoffa is guilty or innocent, it is quite apparent that he is the whipping boy for the pious and righteous politicians who want to clip labor's wings. Further, it is obvious there are some trying to make a big name and reputation for themselves in this effort to shackle all labor.

President Eisenhower last week joined in the pack crying for labor's scalp because of the job done on Mr. Hoffa. It is beginning to look like the attack and legislation is aimed more at labor than at Mr. Hoffa. Assuming that Mr. Hoffa is a bad apple since when do you get rid of a whole barrel of apples because one is bad.

There is no talk of getting rid of the Democratic Party because there are white supremacists like Eastland, Byrd and Talmadge in it. Further, it's indeed strange that there are those who can get worked up to a white heat about the abuses and racketeering that is allegedly going on in some labor unions but can only stammer and stutter when the voting rights of Negroes are arrogantly denied merely because they happen to be black. When Negroes are murdered, intimidated and brutalized for trying to vote in some parts of the south (Miss., Ala., Fla., and Ga.) have you ever heard those yelling for labor's scalp utter a mumbling word about the political bosses, bigots and racketeering politicians responsible. No, not hardly and it is not likely that you ever will.

The present attack on the constitutionality of the Civil Rights Commission by the State of Louisiana is because the commission wants to find out why Negroes are denied the right to vote in some Louisiana Parishes. Negroes have complained that they have been denied the right to vote just as some labor people complained that they have been treated unfairly by some labor bosses. Unfortunately there is no Senate committee probing into the matter of gross flagrant and arrogant denial of voting rights to Negroes in the South and there is no President to urge (via TV) the people of the nation and of the south to respect the recent desegregation rulings of the U. S. Supreme Court, and the Negroes right to vote. The denial of the vote to an American citizen because he does not have a white skin is as vicious and ugly as anything Hoffa is accused of.

Anything that Hoffa is alleged to have done in the management of his union, worse has been done to the Negro Americans by certain bigoted southern politicians. The Negro has been denied his rights as an American citizen a good deal more thoroughly by southern politicians than Jimmy Hoffa has denied members of the Teamsters their rights. For example, there are no Negroes in the south in any real policy making political job or in any southern legislature (Kentucky excepted).

The right to vote in this democracy perhaps has little in common with the alleged abuses and racketeering going on in labor, nevertheless, we'd like to see the same concern about the denial of the right to vote to Negroes as there is about Jimmy Hoffa and labors' abuse then and only then could we get democracy that would be free of abuse from labor racketeers as well as political racketeers.

The honest truth is that most facets of American life need a lot of cleaning up. Let's face it.

Louisiana beats Uncle Sam down

By EDWARD PEEKS

SHREVEPORT, La.—Uncle Sam took a beating here this week at the hands of segregationists who blocked a hearing by the Civil Rights Commission on complaints of voter registration violations.

The victors are crowing all over Dixie in the wake of a temporary restraining order issued late Sunday by Judge Ben C. Dawkins Jr. of Federal District Court for Western Louisiana.

Alabama Gov. John Patterson wired congratulations to Jack Gremillion, Louisiana attorney general, who continued the assault Monday with a battery of state lawyers at a hearing for bond requested by the commission to cover expenses involved in preparing the probe.

Judge Dawkins denied the $10,000 bond on grounds that it was not mandatory in the case of a restraining order. Any bond posted by the 17 accused voter registrars would fall back on their employer, the state, he said.

* * *

LOUISIANA CITIZENS and others said the situation shows the need for strong civil rights legislation.

The Southern Conference Educational Fund called for "help from the Justice Department, armed with new civil rights legislation which has teeth in it."

"We therefore call upon the President and the leaders of both major parties to use their influence to get such legislation passed at this session of Congress," said Dr. James A. Dombrowski, executive director of the organization.

A joint plea was made by the United Christian Movement (UCM) and the Southern Christian Leadership Conference (SCLC), whose president is the Rev. Martin Luther King Jr.

Statements were by Miss Ella J. Baker, SCLC executive director, and Dr. C. O. Simpkins, a Shreveport dentist, who is UCM president.

"We are not surprised that Judge Dawkins ruled as he did," they said.

The jurist asked a three-judge panel of the Fifth Circuit Court of Appeals to convene July 22 to consider the Constitutional question he raised in his opinion about the commission.

* * *

JUDGE DAWKINS said hearing procedures by the commission would violate the rights of registrars in that they wouldn't be allowed to cross - examine their accusers.

He stated that Anglo Saxon laws "always have seen to it that in hearings or trials of all kinds, persons accused of violating laws must be adequately advised of the charges against them, confronted by their accusers, and permitted to search for the truth through cross - examination."

This issue, together with that of state laws, was hammered on again and again at the bond hearing by Attorney General Gremillion and his staff.

* * *

THE HEARING brought occasional laughter with a couple of humorous injections by the judge as state lawyers continued their attack on the commission.

Directly in the line of fire was Berl Bernhard, commission staff attorney and witness for the bond claim. The Federal government was represented by T. Fitzhugh Wilson, Justice Department attorney.

After the two-hour hearing, Mr. Bernhard was congratulated by a colleague for not "blowing up" under segregationist pressure.

Fifteen of the registrars were in court, but without voting records that had been subpoenaed. Present also were six private citizens who joined the suit for an injunction.

A male registrar was reported absent because of illness, and a woman because of "nervous tension" growing out of the case.

There was little or no tension in the courtroom, however, as Mr. Bernhard faced questions fired in succession by three lawyers.

* * *

HE BECAME fair game on cross - examination after he itemized the cost for preparing the investigation, which he said ran over $12,000, though the commisson didn't ask the full amount.

"Didn't the Attorney General of the United States ask you to make a motion for bond?" Mr. Gremillion wanted to know.

He persisted in questioning the witness about instructions on the matter from Washington.

"I know of no one who talked with the Attorney General," Mr. Bernhard said.

* * *

MR. GREMILLION told the court, "They were advised of Louisiana law. We wanted to know the names of our accusers. We have asked for them on numerous occasions. The commission refused to give us this information.

"If they had given us the names and the nature of the complaints, there wouldn't have been any need for a hearing," he added.

Mr. Bernhard said the commission operated as a fact-finding agency with no enforcement powers. Names of witnesses were not divulged in view of the investigatory function of the body.

He stated that bond was asked to insure the commission against budgetary loss if the Appeals Court permits the hearing to be held.

* * *

HE SAID 34 complainants and six other witnesses would have to be interviewed all over again in preparation of the case at additional expense to taxpayers.

"Because they might change their story?" Judge Dawkins injected, provoking laughter.

"No, because of certain fears or economic considerations they might change their minds," Mr. Bernhard replied. "We would have to re-determine that they would appear."

These complaints were among 67 filed by colored citizens in North Louisiana, he said.

* * *

AT ANOTHER point the jurist evoked laughter when he inquired of the witness if the turn of events "didn't take you by surprise."

Mr. Bernhard said the commission had planned to question registrars if they didn't bring subpoenaed records.

Six staff lawyers were prepared to go to the various parishes and inspect such records on the spot, he stated.

Judge Dawkins sustained an objection when Albin Lassiter, Monroe Parish attorney, inquired whether the commission kept a record of the names and addresses of witnesses.

"I know what you are driving at and I can't blame you for trying," the jurist said.

* * *

THE HEARING was attended by State Sen. W. M. Rainach, chairman of the Louisiana Joint Legislative Committee on Segregation.

He aims to out-Faubus Faubus in his bid to unseat Gov. Earl K. Long come the December primary, according to Shreveport citizens.

They say the difference is that the Arkansas governor rode into office over the rights of nine colored children, while the Louisiana senator plans to rise into the State House on the backs of thousands of citizens stripped of the ballot.

The abortive hearing is part of the process of purging voting rolls by removing registrars from the fear of any account to the people or to the Federal Government in any question about violations of their civil rights.

* * *

MR. RAINACH called the judge's decision "a fine, fine first round victory."

He told the press, "It amounts to the first time any of the states have taken the offensive against the Civil Rights Commission.

"We consider it a victory for law and order and the establishment of a precedent."

None of the members of the commission appeared at the bond hearing. The Shreveport Times carried a group picture of all six members and Staff Director Gordon M. Tiffany, who steadfastly declined comment to a man on the restraining order.

The caption noted that they departed for Washington from their quarters at Barksdale Airfield after the restraining order was issued.

Segregation laws make it necessary for the group to room and board on Federal premises. A member is Dr. George M. Johnson, former dean of Howard University Law School. The staff also is interracial.

* * *

A GRAY-HAIRED man was overheard making note of the fact after he hobbled across the courtroom from among state officials during a break in the hearing. He was bent with age and rheumatism.

He whispered hoarsely to a reporter in the jury box, "A nigra is on that there commission."

No colored citizens attended the hearing. Witnesses who came in Sunday from several parishes returned home when Dawkins issued his ruling.

Local leaders said they thought the matter of bond would be brief and informal in the judge's chamber.

REGISTRARS ESCAPE BOND

Louisiana Vote Rights Probe Hits Second Snag

SHREVEPORT, La. (AP) — The Civil Rights Commission's intended probe of alleged voter registration in Louisiana hit another snag Monday when a United States District judge refused to make voter registrars post bond.

The U.S. attorney general's office had asked the court to require the registrars and others involved in the case post bond following cancellation of the commission's hearing.

Federal District Judge Ben Dawkins Jr., who issued the order cancelling the hearing, said there were new laws requiring that bond be made in such cases.

STATE CONTENTION

Cancellation of the hearing came after Louisiana Attorney General Jack Gremillion contended the 17 registrars were denied their constitutional rights in such a move. He claimed they should be advised of the charges against them, be allowed to confront their accusers and cross-examine them.

When he denied the government's request for the registrars to post bond, Judge Dawkins said the regstrars were state employes and that any bond posted by them ultimately would fall back on the state.

In refusing the commission the right to hold the hearing, Dawkins also ordered a three-judge panel to test the law creating the Commission. He scheduled the panel's meeting for July 23.

Gremillion said the temporary restraining order issued by Dawkins "certainly does not stop the Commission from holding executive sessions or discussing other matters." It only stops, he added, the Commission from ordering the registrars to testify.

6 COMPLAINANTS

The six-member commission, headed by President John A. Hannah of Michigan State University, came to Louisiana to study complaints of 67 north Louisiana Negroes who claim registrars unlawfully deprived them of their rights to vote.

The Commission tried unsuccessfully to question the registrars by sending investigators into the state, then subpoenaed the registrars and their records.

The Commission began its investigation in Louisiana last December. Its investigators pursued complaints of discrimination in voting registration but were denied access to voting records.

On Vote Registrars' Appearance Before U. S. Civil Rights Commission

Southern Groups Blast La. Judge's Ruling

SHREVEPORT, La.—Charging that "the registrars must have something to hide," and asserting that Negro citizens purged from registration rolls "suffer real damages, not imagined ones," the United Christian Movement of Shreveport, and the Southern Christian Leadership Conference, Atlanta, quickly attacked Federal Judge Ben C. Dawkins' ruling, blocking the scheduled hearing of the Civil Rights Commission in Shreveport, La.

The statement was signed by Dr. C. O. Simpkins, president of the United Christian Movement, and Miss Ella J. Baker, executive director of the Southern Christian Leadership Conference, and reads as follows:

■

"WE ARE NOT surprised that Judge Ben C. Dawkins Jr., ruled as he did to prevent the Civil Rights Commission from holding its scheduled hearing on voter-registration infractions in the State of Louisiana. Judge Dawkins' previous rulings in cases involving the civil rights of Negroes certainly tend to confirm that he will use every possible evasion and technicality in stretching the law to maintain the status quo in racial matters.

"The argument that registrars 'might suffer irreparable injury' by appearing before the Civil Rights Commission to discuss the conduct of their offices, raises two very serious considerations:

"1. The state and the registrars must have something to hide.

"2. It ignores the fact that Negroes who have been consistently denied the right to vote and purged arbitrarily from registration rolls, suffer real damages, not imagined ones.

■

"THIS SITUATION calls for immediate action by the President, the Department of Justice, and the Congress. We urge all friends of equal justice to write, wire, or visit Senators, Congressmen Attorney General, and the President, at once.

"Any unbiased observer knows that voting discrimination exists in Louisiana. As a matter of record, more than 10,000 Negro registrants have been purged from voter rolls, and thousands of others have been denied the right to register. Elected state officials and those who are doing the purging, openly and repeatedly boast that they are out to remove 100,000 more.

"If it is illegal for the Civil Rights Commission to hold hearings on the denial of voting rights to hundreds of thousands of Negroes, then surely the McClellan hearings on the question of labor abuses are illegal and should be discontinued at once."

■

JUDGE DAWKINS' ruling was also called "a direct challenge to Congress" in a telegram sent by Miss Baker to Senator Thomas C. Hennings Jr., chairman of the Senate Constitutional Rights Subcommittee.

"When a duly constituted agent of Congress can be summarily prevented from even investigating complaints of citizens whose franchise rights have been violated," the wire stated, "it is incumbent upon Congress to enact legislation to effectively safeguard the rights to vote."

Passage of Title III of the Celler-Douglas bill was urged as "minimum civil rights legislation for this Congress," and Federal legislation was cited "as the only hope for Negro Americans in the South today."

Miss Baker was in Shreveport to attend the voter-registration hearing in follow-up of her work in the North Louisiana area in February and March.

One Man Crusader, Registers 1276

When it comes to registering Negroes to vote, a retired Tulane Medical Clinic worker, has set the pace.

Last week it was revealed that Mr. Lule W. Williams, 2300 Sixth Street has assisted 1276 Negroes to become registered voters.

At his own expense and using his own automobile, Williams hopes to reach a goal of 3000 registered Negro voters during his one-man campaign.

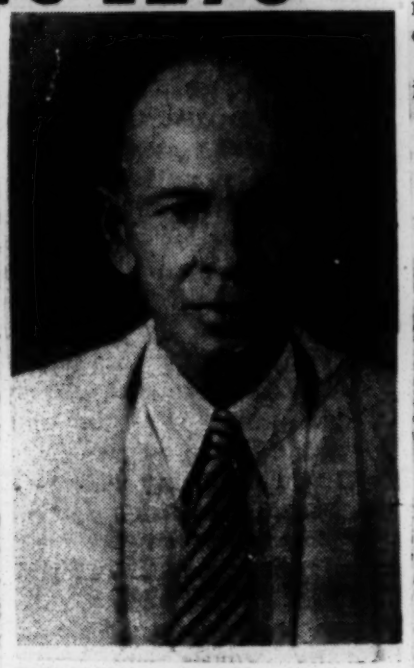
Wiliams' outstanding feat is a good example of what can be done, to register Negroes to vote, if an individual or individuals decide to work for First Class citizenship within the community.

Williams pointed out the city has a Registration Training School, located in City Hall, which is open daily to everyone interested in becoming a registered voter.

Williams said non-registered Negroes should attend the Registration Training School and be instructed as to how to qualify to register.

He concluded "A voteless people is a voiceless people. Never forget that. Every Negro should register and then vote."

Mr. Williams is a member of the Young Men Olympic Society; People's Defense League and now serving on the Finance Committee of the Inter-Faith Council, Rev. W. Scott Chinn, president and a member of First Evangelical Baptist Church, Rev. J. L. Spears, pastor.



Court blocks vote hearings in Louisiana

SHREVEPORT, La., Oct. 7—(AP)—A three-judge Federal Court today upheld the constitutionality of the federal Civil Rights Commission.

However, the court ruled the commission could not force Louisiana voter registrars to testify without first advising them of charges against them.

The original suit was filed by Atty. Gen. Jack Gremillion on behalf of the registrars. It asked that hearings by the commission on voter registration complaints by Negroes be stopped.

U. S. District Judge Ben C. Dawkins Jr. issued a temporary restraining order July 12 to block the hearings.

THE THREE-JUDGE special court composed of Dawkins, U. S. District Judge Edwin F. Hunter of Lake Charles, La., and Judge John Minor Wisdom of the U. S. Fifth Circuit Court of Appeals in New Orleans, heard arguments Aug. 7.

Hunter and Dawkins concurred in the majority opinion. Wisdom dissented.

The court granted the state an injunction against the hearings.

The majority opinion, written by Hunter, said the procedures and rules of the commission in the registrars cases were beyond the jurisdiction conferred by law and threatened the registrars with irreparable damage.

RIGHTS OF TWO UNDER QUESTION

Committee Candidates Listed on Rolls

The right of two former employes in the vote registrar's office to run for political office was questioned Tuesday before the state civil service commission.

At the hearing it developed that two candidates for membership on the Orleans parish Democratic executive committee are still carried on the registrar's records as being on leave of absence without pay.

The two candidates, who were dropped from the payroll of Orleans parish registrar of voters Louis Knop Jr., in June, 1958, are: Mrs. Eledia C. Johnson, 6068 Annunciation, and Joseph A. Monteverde, 1026 Royal. They are running for membership on the committee for the 14th and Sixth Wards, respectively.

BELIEVED DISCHARGED

They told the commission that they were of the opinion that they had been discharged from their posts, and had not been formally notified that they were still carried on the registrar's records as civil service employes.

W. W. McDougall, Baton Rouge, director of the state civil service, told the commission members that the pair, called to the hearing, were apparently sincere in thinking that they were no longer civil service employes and thereby were within their rights in seeking nomination for the posts.

The matter was taken under advisement.

The two are still listed by John J. Caswell, chairman of the Orleans parish Democratic executive committee, as candidates for the Dec. 5 primary.

FERRARA STATUS

Also taken under advisement by the commission was investigation of the status of Frank A. Ferrara, 2627 Ursuline, an employe of the Orleans levee board at the New Orleans Airport. It had been reported to the commission that Ferrara had stated that he was a precinct captain for the RDO here.

A number of RDO members testified that the levee board employe was not a precinct captain in their organization, and Ferrara, himself, admitted that he had said he was an RDO precinct captain, but that in fact he was not.

McDougall said that after one year had expired Knop's office had formerly requested permission to continue a number of persons who had been laid off in 1958 on his records as on leave without pay. That permission, he said, had been granted to Knop.

The hearing was conducted in the state office building.

34e 1959

'Vote Purge' Statue To Be 'Challenged'

In the face of a "voters purge" the registrar of voters for Winn Parish, Mrs. Mary Flournoy vowed Wednesday that she would "prefer going to jail than allow the white Citizens Councils to invade the Winn Parish rolls and issue challenges to registered voters for trivial, technical and irrelevant errors in their registration.

Acting under the advice of her attorney, Camille Gravel, Mrs. Flournoy said she would abide by an order of Dist. Judge Harwell Allen that her office be kept open at night if necessary for the Ctizens Councils to inspect the rolls, but she said that she would refuse to issue challenges.

The right to issue challenges comes under a Louisiana statue permitting a certain number of citizens to have the voting privileges of another citizen challenged for mere trivial errors in his registration, such as the omission of the dot over an i.

Atty. Gravel, the outspoken State Democratic Chairman, said that the constitutionality of the Louisiana voter registration laws under which the White Citizens Councils have been challenging registered voters would be attacked.

The one time poltical ally of Governor Long said this was one of the few things he could agree on with Gov. Long, that voters should not be dis-enfranchised because of technical errors in registration.

"What is involved here" said Gravel, is not a race issue but a fundamental American right, the right to vote."

"In my opinion he added, "the statue under which they (the Citizens Councils) are proceeding is unconstitutional and, in my opinion, otherwise legally defective also.

Speaking further candidly in the Winn registrar's behalf, Gravel said, "If it were to be held valid, it would have the effect of dis-enfranchising at least 200,000 to 300,000 persons."

Other developments this week in the controversial "voters purge" issue found Federal Judge Edwin F. Hunter, Jr. of Alexandria Thursday dismissing an injunctive suit filed by voter registration purgers against voter registrar Miss Ruby C. Ryder of St. Landry Parish.

In dismissing the suit, the judge said his court lacks jurisdiction and he suggested that the plantiffs seek a remedy in state courts.

Judge Hunter, one of three jurists considering constitutionality of the Civil Rights Commission act currently pending here, said in Opelousas Wednesday, "Plantiffs remedy lies in a reinvigorating of state responsibility not in inviting and undue incursion of federal authority into local duties."

Dismissal of the case was based primarily on the fact that plantiffs who sought relief under the 14th amendment have not been denied the right to vote.

"Discrimination alone can justify maintaining the action and granting the relief sought under the 14th amendment", Judge Hunter said.

Plantiffs-Dr. Emille Ventre, Harry Kron, Jr. and Mrs. Geraldine Welch, all Opelousas voters asked Judge Hunter July 1 to enjoin Miss Ryder and her deputies from blocking their committee's investigation of registration rolls. They were represented by W. M. Shaw of Homer.

LOUISIANA

DEPUTY REGISTRARS - Two Negroes were this week appointed as deputy registrars in the office of the Orleans Parish Registrar of Voters' office. Named by Registrar Louis Knop, Jr., were Richard B. King and Rudolph Belisle. Both were sworn in by Mr. Knop and the swearing-in ceremony was witnessed by Assistant District Attorney Ernest Ameden.

Seek Quick Hearing In La. Vote Case

WASHINGTON - The CIVIL Rights Commission decided Wednesday to hold no more public hearings until the Supreme Court decides whether it must reveal the names of witnesses in voting discrimination cases and allow registrars to confront them.

Chairman John A. Hannah told newsmen that the Justice Department would be asked to rush an appeal from a district federal court decision in Louisiana which officials said would handcuff the rights group.

The three-judge court ruled that the commission could hold no more hearings in Louisiana unless it permitted cross-examination of witnesses and permitted voting registrars accused of discrimination to confront the witnesses.

Hannah said he felt the Supreme Court probably would hand down a decision fairly quickly.

He said the civil rights group also will study the possibility of expanding its investigation into the question of discrimination in administration of justice and employment opportunities. It ordered its staff to see if there was enough money and personnel to expand its activities.

Hannah said the commission will continue its investigation of discrimination in the fields of voting, housing and education. The main emphasis will continue to be on voting, as has been the case since the commission first was set up.

'RELATED AREAS'

"These three areas are closely related in matters of civil rights," Hannah said, "and we feel that administration of justice and employment are also closely related to the investigation we have been conducting."

JUDGE DECLINES CASE DISMISSAL

Wright Refuses to Toss Out Rights Matter

Federal District Judge J. Skelly Wright refused Wednesday to dismiss a civil rights case brought by the federal government aimed at halting the alleged illegal purge of Negro voters from the registration rolls of Washington parish.

The suit was brought by the civil rights division of the justice department under the 1957 civil rights statute. It seeks an injunction restraining the registrar of the parish from striking the names of Negro registrants from the rolls for "the slightest technical deficiencies."

Defendants are the White Citizens Council of Washington parish, four of its members and Registrar Curtis M. Thomas.

Judge Wright denied a motion to dismiss filed on behalf of the defendants, holding that the defendants contentions were "so obviously without merit that this court would merely deny the motion to dismiss without more were it not for the fact that a district court has upheld a similar contention and declared Section 1971 (of the civil rights statute) unconstitutional."

GEORGIA CASE CITED

The court's reference was to a suit brought against the registrar of Terrell county, Ga., under similar circumstances which was dismissed by the district judge.

Regarding the Georgia case Judge Wright said, "In so doing, that court ignored the most elementary principles of statutory construction, as repeatedly anounced by the Supreme Court, and relied on an old case interpreting a criminal statute."

He pointed out that the various civil rights acts have been the subject of much confused litigation, but said that out of the confusion have emerged two propositions, both of which have won general acceptance.

The first of these, Judge Wright held, is that the Congress may, without reference to the 15th amendment, pass any legislation reasonably designed to protect citizens in the exercise of any right, guaranteed by the constitution.

SAYS RIGHT GUARANTEED

"The right to participate in the election of federal officers is so guaranteed. Article 1, Section four of the constitution specifically authorizes Congress to regulate the manner of holding elections for federal officers," he wrote.

The court added that Article 1, Section eight, Clause 18 of the constitution states that Congress is given authority "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

Judge Wright held that under this authority "presumably Congress may also control the registration, but not the qualification, of voters in federal elections, since such authority would certainly be reasonably necessary to insure their proper conduct."

The second proposition, according to the opinion, relates to the power of Congress to control all elections for state or federal office. "With reference to such elections, the 15th amendment imposes on Congress the duty to protect citizens from being denied their right to vote 'by the United States or by any state on account of race, color or previous condition of servitude.'"

DENIAL OF RIGHTS

Judge Wright held that to be appropriate under the 15th amendment, legislation must be directed against persons acting under color of law, state or federal, and must relate to the denial of citizens' rights to vote because of race.

"Here we have defendants, all admittedly acting under color of state law, charged with denying citizens their right to vote because of their race. Unquestionably, to the extent it affects them, the act is appropriate under the 15th amendment. There can be no question but that they are covered by its terms," the opinion held.

The court's opinion states that

the defendants admit this but that their point is that the legislation may not be interpreted as covering ones not before the court, individuals not acting under color of law.

"This court has no right to consider these imaginary persons in the hypothetical situations conjured up by the defendants in determining whether or not the act may be unconstitutionally applied to the facts of this case and to the defendants before this court. The duty of this court is to strain, if necessary, to save the act, not destroy it," Judge Wright stated.

U.S. Rights Board Halts Hearings Until Court Rules on Baring Names

Denounces Ruling in Louisiana

WASHINGTON (UPI) — The Civil Rights Commission decided Wednesday to hold no more public hearings until the Supreme Court decides whether it must reveal the names of witnesses in voting discrimination cases and allow registrars to confront them.

Chairman John A. Hannah told newsmen after a commission meeting that the Justice Department would be asked to rush an appeal from a district federal court decision in Louisiana which officials said would handcuff the rights group.

The three-judge court ruled that the commission could hold no more hearings in Louisiana unless it permitted cross-examination of witnesses and permitted voting registrars accused of discrimination to confront the witnesses.

Hannah said he felt the Supreme Court probably would hand down a decision fairly quick.

He said the civil rights group also will study the possibility of expanding its investigations into the question of discrimination in administration of justice and employment opportunities. It ordered its staff to see if there was enough money and personnel to expand its activities.

Hannah said the commission will continue its investigation of discrimination in the fields of voting, housing and education. The emphasis will continue to be on voting, as has been the case since the commission first was set up.

"These three areas are closely related in matters of civil rights," Hannah said, "and we feel that administration of justice and employment are also closely related to the investigation we have been conducting."

He said in reply to a question that none of the five men now serving on the commission have indicated any intention to resign "for the present at least."

John S. Battle, former governor of Virginia who disagreed with some commission proposals, resigned this week. President Eisenhower was said to be seeking another Southerner for the vacancy to maintain the commission's geographical balance.

Battle dissented vigorously from the commission's report on its first two years of operations. The report also angered congressional Democrats who threatened for a while to try to block extension of the commission. The extension finally was approved as an amendment to the foreign aid money bill.

RIGHTS UNIT' Upholds La. Contention Accused Be Advised

SHREVEPORT, La. (AP)—The three-judge federal court Wednesday ruled the US civil rights commission must advise accused persons of charges against them.

The 2-1 decision by a special court was a victory for Louisiana.

The state had accused the federal commission of taking part in blind accusations against parish registrars in voting complaints filed by Negroes.

But the federal government won a point when the court held the act setting up the commission is constitutional.

Dist. Judge Edwin F. Hunter Jr. wrote the majority opinion. He was joined by Dist. Judge Ben C. Dawkins Jr. Judge John Minor Wisdom of the US fifth circuit court of appeals dissented.

DENIED RIGHT

Louisiana asked that the civil rights act be struck down on grounds its rules denied a person's basic right to know his accuser and to have a chance to defend himself.

The court granted Louisiana's request for an injunction against further hearings in Shreveport. The commission was probing voting complaints by some 67 Negroes against 17 parish registrars.

State Atty. Gen. Jack P. F. Gremillion, counsel for the parish registrars under state law, said the ruling was a triumph against an "onrushing tide of federal encroachment of states' rights and the constitutional rights of our citizens."

The state made a main issue in the court fight of the commission's procedure in hearings into complaints that Negroes are not allowed to vote.

MAJORITY RULING

The court majority said the procedure and the rules of the commission considered in the case were beyond the jurisdiction conferred by law and "threatened the registrars with immediate and irreparable damage.

"And believing further that the interests of the government, the public and the commission are best to be served by the holding of a full and fair hearing wherein all accused of crimes are given the fair chance to develop all of the facts, we have but one course to take—that is to dismiss the government's motion for summary judgment and grant the prayer for an injunction. . . ."

Judge Wisdom, while agreeing with the majority on the constitutionality of the commission, in his dissent interpreted the act setting up the commission as permitting it to use the rules of fair play of congressional committees.

The commission, represented by Wilson W. White, assistant attorney general for the department of justice, was expected to appeal the decision directly to the US supreme court.

NEW VOTER LIST WEEKLY, REPORT Required as Safeguard, Mrs. Harris Says

All registrars prepare voter registration lists monthly at the request of the state board of registration, Mrs. Beatrice R. Harris said in Baton Rouge Saturday.

Mrs. Harris is secretary to Edgar A. Coco, director of the board.

She was contacted for an explanation of the request made of Louis A. Knop, Orleans parish registrar of voters, for a master list of registered voters in each precinct of the parish.

Knop has had to hire additional personnel to compile the list for the state board.

"The list requested is the same list that every registrar is requested to prepare and give each month," said Mrs. Harris.

"The board had been receiving the list from Orleans parish prior to Knop's term, but Knop has not been badgered and pushed because of the house-to-house canvass which was conducted, as well as other matters that kept him unusually occupied."

Knop conceded Friday that the request for such a list was the first he had received since he became registrar in 1956.

Mrs. Harris said that the lists are used as part of the files of the state board of registration "as a safeguard."

Such records in the state registration office were useful after hurricane Audrey devastated Cameron parish," she said. "Their registration list was completely destroyed down there."

She said that the lists were public records at the registration office although they could not be photostated or copied without "appropriate legal procedure."

The procedure, she explained, is to have at least 25 registered voters sign a petition to make copies of the records.

34e 1959

RIGHT TO CHALLENGE HIT:

U.S. Files Suit To Halt Purge Of Negro Voters In Louisiana

Journal Montgomery, Ala.
Tues. 6-30-59

NEW ORLEANS, La. (AP)—A Justice Department suit on file in U.S. District Court here seeks to halt the purge of Negro voters in Washington Parish.

The parish is in southeastern Louisiana, about 50 miles north of New Orleans.

The suit, filed Monday, names as defendants the White Citizens Council of Washington Parish; members Diaz D. McEleveen, E. Ray McEleveen, Saxon Farmer, Eugene Farmer; and the parish registrar of voters, Curtis M. Thomas.

VOTERS MAY CHALLENGE

Under Louisiana law, any two bonafide voters may challenge the right of another registered voter.

The government said that during the past seven months there were 1,377 affidavits filed challenging Negro voters in Washington Parish and that the Negro registration was reduced from 1,517 to 236. The petition said in the same period only 10 affidavits have been filed questioning the voting rights of white persons.

The suit, seeking an injunction against discriminatory challenges, has not been set for hearing.

The complaint said the challenging affidavits almost without exception were based on minor technical deficiencies such as spelling, petty deviations from printed instructions, failure to compute age precisely, and illegible handwriting.

AIMED AT RACIAL PURGE

In Washington, Asst. Atty. Gen. W. Wilson White, in charge of the Civil Rights Division of the Justice Department, said the suit is aimed at discriminatory purging of voters for racial reasons.

"It is the government's position that the use of the Louisiana challenge law to disfranchise Negroes for technicalities while allowing white persons with the same technical defects in their registration papers to remain unchallenged is a violation of the Civil Rights Act of 1957," White said.

LOUISIANA SUIT

Times-Union
Jacksonville, Fla.

U.S. Moves to Halt Voting List Purge

Times 6-30-59

BOGALUSA, La., June 29 (AP)—"We knew it was coming" was one official's reaction today following the filing of a Justice Department suit seeking to halt large-scale purging of Negro voters in southeast Louisiana.

The suit, filed in district court in New Orleans, named the pro-segregation White Citizens Council of Washington Parish (county) and four of its members as instigators of the purge.

Atty. Gen. William P. Rogers in Washington announced the filing of the suit, the third voting rights action taken under the 1957 Civil Rights Act. Previous actions in Georgia and Alabama were knocked down by federal district courts and are on appeal to the Supreme Court.

Along with the parish citizens council, Washington Parish Registrar voters Curtis M. Thomas was named a defendant and four council members—Diaz D. McEleveen, E. Ray McEleveen, Saxon Farmer and Eugene Farmer.

State Sen. William Rainach, legislative chieftain on segregation, would not comment on the suit until he could investigate the charges. Rainach was contacted in Ville Platte canvassing voter registration rolls for another parish.

Thomas, the parish registrar, could not be reached for comment, but one parish official—who asked not to be identified—said some Negroes had indicated such a suit would be filed.

"At least the waiting is over," the official said. "We knew it was coming. From the first of the year, I believe 1,377 Negroes have been removed from registration rolls, all of them because their registration was challenged."

The challenges, the official said, came from other voters. Names can be stricken from the rolls because of any inaccuracy on registration forms, such as spelling, miscalculating ages and other factors.

The suit filed in New Orleans set no date for a hearing.

U.S. FILES SUIT TO HALT NEGRO VOTER PURGE

Chicago Ill
Tues 6-30-59

Names White Citizen Council in Louisiana

Washington, June 29 (UPI)—The justice department announced Monday that a suit has been filed to enjoin the purging of Negro voters in Washington parish Louisiana.

Atty. Gen. William P. Rogers said the suit was filed in federal District court in New Orleans. Defendants in the case were the White Citizen's council of the parish [county], the registrar of voters, and four citizens council officers, named as individuals.

It was the third action brought under the civil rights act of 1957. It is the first suit involving alleged removal of already qualified voters from the rolls.

Cites Negro Vote Drop

The complaint charged that the number of Negro voters in the parish declined from 1,843 to 236 between October, 1956, and June 16, 1959.

During the same period, the number of white registered voters dropped from 15,529 to 11,436.

The justice department charged that 1,377 affidavits had been filed since November 1958 challenging Negroes' registration, which 10 such challenges were lodged against whites.

Under Louisiana law, the complaint said, two registered voters in a parish can challenge the right of a person to remain on the registration rolls.

Barred by Handwriting

The challenges were "almost without exception based on minor technical deficiencies in the registration records, such as minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision and allegedly illegible handwriting," the justice department said.

Almost no challenges were of white voters on these same grounds, the complaint added.

The government charged that Registrar Curtis M. Thomas knew that the purpose of the challenges "was to effect discrimination based on race or color against Negro voters." It also charged that discrimination was carried out at the direction of the White Citizen's council.

Charged along with Thomas were Diaz D. McElveen, E. Ray McElveen, Saxon Farmer, and Eugene Farmer, identified as officers and members of the parish White Citizen's council.

Suit Hits Purge Of Negro Voters

34e La
World Birmingham Ala.
Wed 7-8-59

WASHINGTON, D. C. — (NNPA) — A suit to enjoin the purging of colored voters in Washington Parish (County), La., has been filed in the Federal District Court at New Orleans, Attorney General William P. Rogers has announced.

Named as defendants in the suit are the White Citizens Council of Washington Parish, Curtis M. Thomas, parish registrar of voters, and Diaz D. McElveen and Ray McElveen, Saxon Farmer and Eugene Farmer.

The latter four persons were sued as individuals and were said to be officers and members of the White Citizens Council.

The suit was brought under the 1957 Civil Rights Act. It is the third suit brought under that Act. In the other two cases, portions of the act were held unconstitutional. Appeals in those cases are pending in the Supreme Court.

The Louisiana suit is the first to involve removal of already qualified voters from the rolls.

The practice attacked by the complaint is the challenging of the legality of the registration of colored voters for the purpose of racial discrimination. The actions of the defendants were said to violate federal law and the 14th and 15th Amendments to the Constitution.

According to the complaint, the numbers of voters registered in Washington Parish on the dates indicated were:

Oct. 6, 1956, 1,843 colored compared with 15,529 whites; Nov. 4, 1958, 1,517 colored compared with 11,444 whites, and June 16, last, 236 colored compared with 11,436 whites.

The complaint states that under Louisiana law any two bona fide registered voters of a parish have authority to challenge the right of a person to remain on the voter registration rolls.

From Nov. 4, 1958 to last June 16, the individual defendants were said to have filed with the registrar 1,377 affidavits challenging the registration status of colored voters, and 10 affidavits questioning the legality of the registration of white voters.

In doing this the individual defendants were alleged to be agents of the state since the Louisiana law gives registered voters "authority to perform the state function of investigating and making an initial determination whether persons are qualified to vote."

Th ecomplaint described the affidavits as "almost without exception based on minor technical deficiencies in the registration records, such as minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision, and allegedly illegible handwriting."

Almost no challenges of white voters were made based on the same technical deficiencies.

As a result of the challenges the names of the challenged voters were stricken from the registration rolls. The complaint charged that the registrar who struck the voters' names knew that the purpose of the affidavits "was to effect discrimination based on race or color" against colored voters.

The acts of the individual defendants were carried out at the direction of and under the control of the White Citizens Council, the complaint said. The Council was said to act pursuant to a state-wide program of allied organizations to remove colored persons from voting rolls.

The complaint seeks:

1. To enjoin the individual citizens and the White Citizens Council from initiating affidavits of challenge for the purpose of racial discrimination.

2. To enjoin the registrar from giving legal effect to the challenges or future challenges intended to discrimination.

3. To permit those voters illegally challenged and removed to be reinstated without re-registering.

""This suit is directly aimed at discriminatory purging of voters for racial reasons," Assistant Attorney General W. Wilson White, in charge of the Civil Rights Division, said, adding:

"It is the Government's position that the use of the Louisiana challenge law to disfranchise colored citizens for technicalities while allowing white voters with the same technical defects in their registration papers to remain unchallenged is a violation of the Civil Rights Act of 1957."

Suit Filed on Removal Of Negro Voter Names

Post & Times Herald Jun 6-30-59

The Justice Department yesterday filed suit to stop large-scale removals of Negroes from the voting lists in Louisiana's Washington Parish. The White Citizens' Council for the area and four of its members were named as instigators of the alleged purge.

Attorney General William P. Rogers announced the filing of the suit in the Federal District Court at New Orleans. It is the third voting-rights action to be taken under the 1957 Civil Rights Act.

The previous actions, in Georgia and Alabama, were knocked down by U. S. District Courts and are now being appealed to the Supreme Court.

Defendants Named

The suit at New Orleans named as defendants: Washington Parish Registrar of Voters Curtis M. Thomas; the White Citizens Council of Washington Parish; and four men—Diaz D. McElveen, E. Ray McElveen, Saxon farmer and Eugene Farmer — described as Council members.

The suit charges that between November of last year and June 16, some 1281 Negroes were taken off the voting rolls as a result of challenges of their eligibility by Citizens' Council members.

The Government charged the Washington Parish Council acted in the matter of as part of a State-wide program of similar organizations to remove Negro voters from the registration books.

Under Louisiana law, any two bona fide registered voters may challenge the right of another registered voter.

The Government said that during the past seven months, 1377 affidavits were filed challenging Negro voters in Washington Parish and that, as a result, the Negro registration was reduced from 1517 to 236.

10 Involve Whites

The suit said that in the same period there were only 10 affidavits questioning the voting rights of white persons.

The complaint described the challenging affidavits as almost without exception based on minor technical deficiencies in the registration records. It said these included minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision and allegedly illegible handwriting.

The New Orleans Court was asked to enjoin the White Citizens Council and its members from initiating such affidavits for the purpose of racial discrimination. The Department asked, too, that the parish registrar be barred from acting on discriminatory challenges, and for an order to restore to the rolls illegally challenged voters without a registration.

RIGHTS HEARING RULING LOOMS

La. Judge Mulls Petition in Civil Suit

Sun 7-12-59

SHREVEPORT, La. (AP) — Federal Judge Ben Dawkins Jr. will rule Sunday whether the civil rights commission may proceed with a hearing investigating complaints against 16 registrars of voters.

The complaints charge that the voter registrars discriminated against Negroes.

Louisiana Atty. Gen. Jack P. F. Gremillion asked Dawkins Friday to stop the commission from holding the scheduled hearing Monday.

Gremillion's petition contended the commission is denying the registrars their constitutional guarantees in refusing to tell them in advance who their accusers are and the complaints against them.

Judge Dawkins said he was also concerned with Gremillion's charge that state officials would suffer public damage from the hearing. He agreed with the attorney general's contention that the point would be past arguing if the hearing proceeded, despite safeguards the commission promised.

Robert G. Storey, vice-chairman of the commission, said the commission does not use ordinary court rules because its hearings are not "adversary actions." It cannot, Storey said, enforce penalties, resolve disputes or make accusations. The group, he added, deals only with eliciting facts.

Gremillion's lengthy brief to the court Friday also struck at constitutionality of the entire civil rights act. He asked for a three-judge federal court to render a declaratory judgment that such legislation is unconstitutional.

Gremillion termed as "abusive and intolerable" a 315-part questionaire whose rejection by the registrars led to their probe by the commission.

It was on Gremillion's advice last March that registrars of Caddo and Webster parishes refused to open their voter rolls to a commission investigator.

Gremillion at that time cited a state law requiring a petition signed by 25 registered voters before the rolls could be opened for inspection.

Gremillion called accusations against Louisiana registrars "ghost complaints" and termed the commission "federal monsters."

Should Dawkins rule that a permanent injunction stopping the commission from holding its hearing be issued, the case would go to a three-judge federal panel for decision.

Judge Restrains Rights Commission

Journal & Guide

Another Delaying Action: Vote Probe Is Blocked In Louisiana

Norfolk, Va. Sat. 7-18-59

Special to Journal and Guide

SHREVEPORT, La. — At least three national organizations and hundreds of shocked leaders have criticized a legal ruling which prevented the U. S. Civil Rights Commission from investigating complaints that North Louisiana colored citizens are barred from voting.

The ruling, which at least temporarily blocks the commission, is generally considered as "just another delaying action."

Federal district Judge Ben C. Dawkins issued a temporary restraining order Sunday barring the commission from holding a scheduled hearing Monday on complaints from at least 67 colored citizens that they were discriminated against.

JUDGE DAWKINS announced that a three-judge court will decide July 22 whether the commission and the act that established it are constitutional.

Three groups have criticized the ruling. The Southern Christian Leadership Conference, Inc., of Atlanta, whose members are 200 of the South's leading Negro ministers, and the United Christian Movement of Shreveport, which has membership in three surrounding parishes, said in a joint statement:

"THE ARGUMENT that registrars might suffer irreparable injury by appealing before the commission raises two serious considerations:

"1. The registrars must have something to hide,

"2. It ignores the fact that Negroes have been consistently denied the right to vote and arbitrarily purged from the registration rolls, have suffered real damages, not imagined ones."

THE SOUTHERN Conference Educational Fund, a southwide biracial group with 5,000 members, said Dawkins "ignores" the point that "the rights of tens of thousands of Negroes have been violated, and these violations are the occasion for the proposed hearings."

Gremillion had asked for the temporary restraining order to stop Monday's hearing and the three-judge trial of the constitutionality of the commission. His suit was on behalf of 17 North Louisiana parish registrars subpoenaed to appear at the hearing.

JUDGE DAWKINS ordered the commission to show cause in federal court here July 22 why the interlocutory injunction should not be granted. On the same day the three-judge court, to be appointed by Federal Judge Joseph C. Hutchinson of Houston, chief justice of the 5th Circuit Court of Appeals, will rule on the constitutionality of the statute creating the commission.

In his ruling, Judge Dawkins said he forestalled the hearing because the Louisiana registrars might have been "held up before the eyes of the nation. . .in scorn," because the commission would not let them protect themselves.

THE JUDGE NOTED that the commission "refused to inform" the registrars of the "nature of the charges filed against them and in so doing, regardless of its well-intentioned motives, violates the terms of the law" that created the commission.

As expected, segregation leaders hailed the ruling.

State Sen. W. M. Rainach, chairman of Louisiana's joint legislative committee on segregation, termed Judge Dawkins' decision "a fine, fine first round victory."

"IT AMOUNTS to the first time any of the states have taken the offensve against the Civil Rights Commission. We consider it a victory for law and order and the establishment of a precedent," Rainach said.

La. voting probe open

Ap Memphis

SHREVEPORT, La. — The U.S. Civil Rights Commission next Tuesday (July 13) will begin hearing scores of voting complaints filed by colored persons in northern Louisiana.

At least nine registrars are scheduled to appear before the commission.

Officials began serving subpoenas last Wednesday.

As far as could be learned at press time, only one registrar had been served — Miss Winnie Chilcoat of Webster (County) Parish in Minden.

"Now that the subpoena has been served," said Attorney General Jack Gremillion, "we are in a better position to know what course to follow."

He added that several committees of attorneys are working on various phases of the case.

In addition to subpoening the registrars, it is also believed that the papers order the registrars to bring all voting and registration records to the hearing.

So far none of the colored persons filing complaints of vote denials have been identified.

Attorneys for the registrars, as Gremillion points out, are remaining mum on their legal stand.

RAINACH VOTE PURGE TO BEGIN

Move to Start Today in Opelousas

BATON ROUGE, La. (UPI)—Sen. W. M. Rainach said Tuesday he will begin a purge of illegally registered voters in St. Landry parish beginning Wednesday.

"This parish has the reputation throughout the state of having the highest percentage and most flagrant cases of voter registration law violations," Rainach said. "It is considered one of the toughest nuts to crack."

Rainach, Rep. John Garrett, president of the Louisiana Citizens Council Associations, and W. M. Shaw, legal counsel for the joint legislative committee on segregation, will begin the purge at the Opelousas, La., courthouse Wednesday morning, he said.

CLASHES WITH SHERIFF

"Shaw is a native of St. Landry parish," he said. "The parish has always been considered one of the most conservative parishes in the state until this Negro registration came along."

Rainach clashed with St. Landry Parish Sheriff D. J. "Cat" Doucet during the early days of the 30-day fiscal session of the Legislature concerning voter registration procedures, and Rainach accused Doucet of having a member of the NAACP as a deputy.

"I've been told that in Eunice all the Negroes are registered in one precinct regardless of where they live," Rainach continued. "This makes bloc voting easy and they can keep tabs on the Negro vote." He added the Negro vote was decisive for Doucet in the last election.

"I don't think we'll have any trouble with Doucet, although there may be some," Rainach said. He predicted that the St. Landry parish registrar, Miss Ruby Ryder, would co-operate, but hedged by adding: "she might have some local pressure not to co-operate.

"We don't believe that the registrar of voters will deliberately flaunt the laws, but we will take steps if these voters are placed back on the rolls," Rainach continued. "There is evidence that the registration laws in St. Landry have been honored more in breaches than in observance."

Under procedures outlined in the registration law, two persons registered in the parish may challenge one or more voter on the rolls, based upon information on the registration applications.

In the past, this has ranged to suspicions that another person filled out the registration application to misspelled words.

10 DAYS TO COUNTER

The registrar is then required to send citations to the persons challenged within 48 hours, and the challenged voter has 10 days to disprove the challenge or his name is erased from the rolls. Affidavits from three qualified voters are required to get the voter back on the rolls.

In similar purges last winter, Rainach's joint legislative committee on segregation, aided by local Citizens Councils, purged 7821 Negroes from registration rolls and 16,000 white voters. A similar purge in 1956 dropped 13,060 Negroes and 21,962 white voters from the rolls.

Gov. Earl K. Long, pleading for the "poor white folks who have worked hard and don't have an education," fought unsuccessfully to amend the registration laws during the Legislature this year to ease the strict challenging system, but Rainach and other segregationists defeated him at every turn.

Doucet, appearing before a House committee, spoke out in favor of Long's proposed amendments.

"I think that the poor people that can't read or write have as much sense as Sen. Rainach," he said. "Any man who tries to keep people from voting doesn't think he's going to get very far in politics.

"We have people in St. Landry parish who own 1500 to 2000 acres of land and can't even sign their names. I'm for letting everybody vote. This is America, not Russia."

U. S. Files Suit To Halt Purge In Negro Vote

Charges Parish Slashed Lists From 1,517 to 236

By The Associated Press

Washington, June 29.—The Justice Department filed suit Monday to stop large-scale removals of Negroes from the voting lists in Louisiana's Washington Parish.

The White Citizens Council for the area and four of its members were named as instigators of the alleged purge The Government charged that the council acted as part of a state-wide program to remove Negro voters from the registration books.

The Government said that during the past seven months 1,377 affidavits were filed challenging Negro voters in the parish and that as a result Negro registration was reduced from 1,5 to 236.

The suit said that in the same period there were only 10 affidavits questioning the voting rights of whites.

Under Louisiana law, any two bona fide registered voters may challenge the right of another registered voter.

The complaint described the challenging affidavits as almost without exception based on minor technical deficiencies in the registration records. It said these included minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision, and allegdly illegible handwriting.

Previous Actions Appealed

Attorney General Rogers announced filing of the suit in the Federal District Court at New Orleans. It is the third voting-rights action to be taken under the 1957 civil rights act.

The previous actions, in Georgia and Alabama, were knocked down by United States district courts and are now being appealed to the Supreme Court.

The suit at New Orleans named as defendants: Washington Parish registrar of voters Curtis M. Thomas; the White Citizens Council of Washington Parish, and four men—Diaz D. McElveen, E. Ray McElveen, Saxon Farmer, and Eugene Farmer—described as council members.

The New Orleans court was asked to enjoin the White Citizens Council and its members from initiating voter affidavits for the purpose of racial discrimination. The Department asked, too, that the Parish registrar be barred from acting on discriminatory challenges, and for an order to restore to the rolls illegally challenged voters reregistration.

Louisiana Vote Probe Stalled By Federal Restraining Order

Three-Judge Court Ordered To Rule On Constitutionality Of Civil Rights Group

SHREVEPORT, La. (UPI) — A federal judge Sunday granted a restraining order preventing the U. S. Civil Rights Commission from looking into complaints that Negroes are denied voting rights in north Louisiana.

U. S. District Judge Ben C. Dawkins handed down the temporary restraining order barring the commission from going through with its scheduled hearing Monday. At the same time he ordered a three-judge court to rule on the constitutionality of the commission.

Judge Dawkins granted the injunction to Louisiana Attorney Jack Gremillion, who filed the suit on behalf of 17 north Louisiana voter registrars subpoenaed to appear at the hearing.

The judge said that in the hearing the Louisiana voting registrars might have been "held up before the eyes of the nation .. in scorn" because the commission wouldn't let them protect themselves.

Germillion said the ruling was "gratifying .... well-reasoned and well-founded...."

70 COMPLAINTS FILED

The Civil Rights Commission reportedly has about 70 complaints from Negroes charging their voted rights have been denied. Most of the complaints were believed to revolve around voter purges launched by segregationists.

Louisiana law makes it possible for voters to challenge another voter's right to registration and have his name erased from the voter rolls.

Gremillion's suit charged that the commission was created unconstitutionally and that it was trying to conduct the hearing in an unconstitutional manner.

Chief among the complaints in the suit was a claim that the registrars were being denied the right to be informed of the nature and cause of the accusations against them, or to be confronted by their accusers.

VOTER RIGHTS DENIED

The Civil Rights Commission could only make recommendations to the President and Congress if it found voter rights were being denied in Lousiana. It could not directly compel the state to change its laws.

Other complaints in Gremillion's suit were that the commission had no right to force the registrars to testify or to produce documents and records; and that the registrars were denied the compulsory obtaining of witnesses in their own behalf thus being denied equal protection under the law.

The difficulty between Louisiana and the Civil Rights Commission began last December, when the complaints from north Louisiana Negroes began to come in to the commission.

Commission investigators were denied access to voting rules. Registrars pointed out that Louisiana law bars anyone but a voter registrared in a parsh county from looking at voter rules in that parish. The only other way it could be done, the registrars were told, was to get a petition signed by 25 registede voters.

LIST OF QUESTIONS

The commission then sent Attorney General Germillion a long list of questions in regard to the issue. Germillion refused to answer the questions, calling them vague, ambigous and incriminating.

He charged that the commission told him at first that if he answered the questions a hearing would probably be avoided. But then, he said, the commission later told him there might be a hearing anyway. So he sent thequestionnaires back unswered.

In Louisiana any two registered voters can challenge the eligibility of another voter to vote. Then it is up to the challenged voter to prove through lenghty intelligence and character tests that he is qualified. If he doesn't prove his qualifications to the satisfaction of the registrars of his parish, he is stricken from the voter rolls.

Justice Dept. Files Suit Against La.

Washington — The Justice Department filed suit Monday to prevent the State of Louisiana from continuing the large-scale removals of Negroes from the voting lists of Washington Parish.

Naming the White Citizens

Council of the area and four of its members as instigators of the purge, the Government charged the movement with being a part of a state-wide program to remove Negroes from the registration books.

From 1,517 to 236

The suit pointed out that within the past seven months, 1,377 affidavits were filed challenging Negro voters in the parish and that as a result Negro registration was reduced from 1,517 to 236.

In the same period only 10 affidavits questioned the voting rights of whites.

The Government's complaint described the challenging affidavits as being based on in or technical deficiences in registration records. It said these included minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision and allegedly illegible handwriing.

Ask Injunction

The New Orleans court was asked to enjoin the White Citizens Council and its members from initiating voter affidavits for the purpose of racial discrimination. The Department asked also that the Parish registrar be barred from acting on discriminaotry challenges, and for an order to restore to the rolls illegally challenged voters with a re-registration.

The Louisiana action is the third one undertaken by the Justice Department under the 1957 Civil Rights Act. The other two were in Georgia and Alabama.

Negro Vote Suit Is Filed By U.S.

Justice Department Aims To Stop Louisiana Parish Big Scale Removals

WASHINGTON, June 29.— The Justice Department Monday filed suit to stop large scale removals of Negroes from the voting lists in Louisiana's Washington Parish.

The White Citizens Council for the area and four of its members were named as instigators of the alleged purge.

Atty. Gen. William P. Rogers announced filing of the suit in the Federal District Court at New Orleans. It is the third voting rights action to be taken under the 1957 Civil Rights Act.

The previous actions, in Georgia and Alabama, were knocked down by United States district courts and are now being appealed to the Supreme Court.

Defendants Named

The suit at New Orleans named as defendants Washington Parish Registrar of Voters Curtis M. Thomas; the White Citizens Council of Washington Parish and four men—Diaz D. McSlveen, E. Ray McElveen, Saxon Farmer and Eugene Farmer—described as council members.

The suit charges that between November of last year and June 16, 1,281 Negroes were taken off the voting rolls as a result of challenges of their eligibility by Citizens Council members.

The Government charged the Washington Parish Council acted in the matter as part of a statewide program of similar organizations to remove Negro voters from the registration books.

Under Louisiana law, any two bona fide registered voters may challenge the right o fanother voter.

The Government said that during the past seven months, there were 1,377 affidavits filed challenging Negro voters in Washington Parish and that as a result the Negro registration was reduced from 1,517 to 236.

The suit said that in the same period there were only 10 affidavits questioning the voting rights of white persons.

Minor Deficiencies

The complaint described the challenging affidavits as almost without exception based on minor technical deficiencies in the registration records. It said these included minor misspellings, petty deviations from printed instructions, failure to compute age with exact precision and allegedly illegible handwriting.

The New Orleans court was asked to enjoin the White Citizens Council and its members from initiating such affidavits for the purpose of racial discrimination. The department asked too that the parish registrar be barred from acting on discriminatory challenges, and for an order to restore to the polls illegally challenged voters without a re-registration.

Federal Judge Will Rule On Louisiana Vote Quiz

SHREVEPORT, La. (AP) — Federal Judge Ben Dawkins Jr. will rule Sunday whether the Civil Righ's Commission may proceed with a hearing investigating complaints against 16 registrars of voters.

The complaints charge that the voter regis'rars discriminated against Negroes.

Louisiana Atty. Gen. Jack Gremillion asked Dawkins Friday to stop the commission from holding the scheduled hearing Monday.

Gremillion's petition contended the commission is denying the registrars their consti'utional guarantees in refusing to tell them in advance who their accusers are and the complaints against them.

PUBLIC DAMAGE

Judge Dawkins said he was also concerned with Gremillion's charge that state officials would suffer public damage from the hearing. He agreed with the attorney general's contention that the point would be past arguing if the hearing proceeded, despite safeguards the commission promised.

Robert G. Storey, vice chairman of the commission, said the commission does not use ordinary court rules because its hearings are not "adversary actions." It cannot, Storey said, enforce penalties, resolve disputes or make accusations. The group, he added, deals only with eliciting facts.

Gremillion's lengthy brief to the court Friday also struck at the constitutionality of the entire Civil Rights Act. He asked for a three-judge federal court to render a declaratory judgment that such legislation is unconstitutional.

HITS QUESTIONAIRE

Gremillion termed as "abusive and intolerable" a 315-part questionaire whose rejection by the registrars led to their probe by the commission.

It was on Gremillion's advice last March that the registrars of (counties) refused to open their voter rolls to a commission investigator.

Gremillion at that time cited a state law requiring a petition signed by 25 registered voters before the rolls could be opened for inspection.

Gremillion called the accusations against Louisiana registrars "ghost complaints" and termed the commission "federal monsters."

Should Dawkins rule that a permanent injunction stopping the commission from holding its hearing be issued, the case would go to a three-judge federal panel for decision.

Viewpoint Of Judge 'Pleases' Patterson

Alabama's Gov. John Patterson said he was pleased to learn Saturday that a federal judge in Louisiana appears somewhat sympathetic with the position of the states in civil rights investigations.

Patterson said he had a telephone conversation with Louisiana Atty. Gen. Jack Gremillion which sounded encouraging for the future of such proceedings before the federal Civil Rights Commission.

"I want to commend Mr. Gremillion for the way in which he has handled the matter," said Patterson, himself a former attorney general. "I would like to extend my best wishes to him and hope he wins his case."

State officials raised similar issues when the Civil Rights Commission came here early this year to investigate complaints by Negroes that they had been denied voting rights.

President James Monroe admitted Alabama into statehood in 1819.

VOTER PURGE DRIVE OPENS

Rainach Begins Hearing in St. Landry Parish

By ROBERT WAGNER
(Times-Picayune Staff Correspondent)

OPELOUSAS, La. — Sen. W. M. Rainach, opening a "test" purge here of voter registration rolls, said Wednesday removal of unqualified voters from the rolls would "completely change" Louisiana politics.

The purge of St. Landry parish rolls was launched here Wednesday morning by a group of parish citizens who consulted with Rainach and segregation attorney William Shaw before starting work.

By 4 p. m., when the voter registrar's office closed, they had examined over 200 registration cards. About 60 to 65 per cent of them contained "gross mistakes."

Dr. Emile Ventre, one of the probers, said that probably "challenges" would be issued to about 90 per cent of those whose applications were faulty. But policy has not been completely solidified.

Sheriff D. J. "Cat" Doucet, 59-year-old political kingpin of the parish, has been openly opposed to the registration probe, but adopted a policy of non-intereference.

REPEATED WARNING

But he repeated his warning that he would help restore to the rolls all those removed by the purgers. "If they don't dot their I's and cross their T's, I intend to help them to make it legal," he said.

Doucet's political opposition in the parish reportedly was working with Rainach, the state segregation leader, and his crusade for "cleansing the state's registration rolls."

Rainach said that Doucet lacked authority to restore persons to the registration rolls. He said the local citizens group would keep close surveillance over registration to assure conformity.

Dr. Ventre said that no one would be challenged for failure to "dot I's or cross T's." Most of the "gross mistakes" involved failure of the applicant to fill out his own registration card.

Only 10 "challenges" were filed Wednesday, since the mechanics for challenging registrants is involved and time consuming.

OTHER PARISHES

Rainach said that other South Louisiana parishes would be subject to registration probes in the near future. He said the New Orleans rolls definitely would be surveyed eventually.

Rainach and Shaw took time out from the St. Landry investigation Wednesday to travel to Lafayette, about 30 miles distance, to consult with officials about a probe in Lafayette parish.

It was reported that Rainach conferred with former Congressman Jimmie Domengeaux, reguarded as a Southwest Louisiana political power. However, Rainach would not comment on the report.

Rainach, chairman of the joint legislative segregation committee, said that "removal of tens of thousands of persons not qualified to vote would—

"Completely change the political complexion of the state."

He said, "We will move toward a more conservative, efficient and stable state and local government.

"Louisiana will become a state in which free enterprise can thrive and prosper without equal anywhere in the nation."

'NOT POLITICKING'

An avowed candidate for governor, Rainach said:

"I am not politicking today — I'm on official business," along with Shaw, attorney for the legislative segregation committee. Both reside at Homer.

Nine St. Landry citizens accompanied Rainach and Shaw as they strolled at 9:35 a. m. into the office here of registrar Miss Ruby Ryder, after a breakfast conference had been held in a nearby cafe.

Seven of the nine were "challengers" who will check through the registrar's "master file" from "A to Z" to weed out all irregular registrations.

Indications were that this could mount up to a sizeable number. Fifty of the first 70 cards examined Wednesday were found to have "serious errors." Many of the others had "minor errors."

The "challengers" themselves had to reapply to be placed on the registration rolls, after it became evident their own registration applications contained violations.

One of them reportedly had to fill out four cards before he finally produced one that complied with all the regulations.

KEY VIOLATIONS

Key violations, said Rainach, were failure of applicants to fill out their own cards as required by law, or failure to answer all parts of the forms.

It apparently has been the policy of the registrar, or her assistants, to fill out at least portions of the applications for many of the voter registrants.

"Minor violations" said Rainach, would include misspellings or unintelligble handwriting.

No challenges would be issued, he said, for such violations.

No effort was being made, he said, to make exhaustive inquiries on whether registrants knew the date and place of their birth.

Also, it appeared that no stress was being placed on the oft-disregarded constitutional requirement that applicants must be able to interpret the federal and state constitutions.

Rainach said that the application forms were intended to be tests of intelligence. Ability to fill them out properly without aid from the registrar, was a basic test of qualification, he said.

SHARP DROP

As of May 31, St. Landry had a total registration of 24,234, of which 16,360 were white, and 7874 were Negro. Among these registrants were 713 white, and 978 Negro "illiterates" (unable to write their names).

This was a sharp total registration drop from the Dec. 31, 1956, figure of 35,021, comprising 21,960 white and 13,060 Negro voters. A change to permanent registration accounted for much of the drop.

Those conducting the probe here emphasized that no discrimination would be made as to the race of voters or their economic status.

The battery of citizen "challengers" will present affidavits to the registrar challenging those who have not been properly qualified. hTe registrar must mail challenges to those involved within 48 hours.

10 DAYS TO RESPOND

The law states that those challenged shall have 10 days to respond. Three qualified voters would be required to testify as to the accuracy of the data supplied by the registrant in his application.

In reality, this procedure is seldom followed. The simpler solution would be for the challenged persons to simply reapply and fill out their forms properly.

Miss Ryder and Rainach said this would be the policy with the St. Landry purge. Doucet apparently foresaw in this a chance to offset the work of the purgers.

Doucet's political organization reportedly has thrived on the votes of those who are especially vulnerable to any purge. Politicos of the dominant faction did not look kindly upon the probe.

'SATISFIED'

"We're satisfied with our rolls, I don't know why people away from here aren't," state Rep. Kenneth Deshotel told Rainach point blank.

"Apparently not all of them are (satisfied)," responded Rainach, "since we're not the one doing the challenging."

Behind the political curtain, Doucet's opposition appeared to be backing the Rainach probe. Some of the "challengers" reportedly were linked with the opposition organization.

The "challengers" were Harry J. Kron Jr., Mrs. W. A. Welch, Mrs. Maxine Delmas, F. M. "Mac" Allen, John A. Carr—all of Opelousas; Richard Sanders, Morrow, and Dr. Ventre, Opelousas. Others were expected to join their ranks.

ELECTED IN 1936

John and Hugh Thistlewhaite, operators of the Opelousas Daily World, took a deep interest in the proceedings, and corrected errors in their own applications, but did not take part in the purge itself.

Doucet, first elected sheriff in 1936, was expected to have powerful opposition in the coming election. At least three candidates have already announced they would run against him.

Candidates for the major anti-Doucet faction were ex-former state trooper, and Adam Daigle, Eunice chief of police.

Also, the opposition has organized to install its own people against Doucet's candidates for the House of Representatives, though they have yet to select someone for the Senate race. One of the "brains" behind the opposition reportedly is former Judge Kenneth Boagni, Opelousas attorney, who told reporters Wednesday:

'MOTHER TONGUE'

"I believe if there are any persons illegally registered, they should be taken off the rolls, whether they are white or colored, or rich or poor."

Rainach said the state law permitted a person to fill out his registration form in his "mother tongue" if he could not write English. In St. Landry, in most instances, this would be French or Italian.

A person who cannot sign his name, said Miss Ryder, was required to have two qualified voters to fill out or sign the application card. The same would apply to physically disabled.

SHAKE HANDS

In such cases, the registrar asks the questions, and fills in the answers for the applicant, who affixes his "mark" in place of a signature.

Rainach and Doucet shook hands early Wadnesday morning. But some tsrain was evident.

"How are you, sheriff?" asked Rainach.

"How are you, senator?" asked Doucet. "You don't need to worry, we're not going to give you any trouble here. Miss Ryder is a very fine lady. She's nat under any pressure that I know of."

Duocet said that at least one of his prospective opponents in the coming election, Pete Dejean, marshal for the Opelousas city court, did not decide to run—

"Until he learned that aRinach was going to come here, and take all the poor people off the rolls." Dejean, Doucet's 1956 foe, is regarded as a "third party" man, aligned with state Sen. Henry Larcade.

PROBE HELD TEST

Rainach said that St. Landry parish voter registration had been regarded as being "one of the most flagrant" in its violations. The probe, he said, was a "test" for all of South Louisiana.

The segregation leader said he did not blame the registrar for the violations. She was a victim, he said, of political circumstances.

South Louisiana officials had been "a little afraid" he said, to co-operate in "cleaning of the registration rolls." But the oppositions' back, he said, had been broken with defeat of Gov. Earl K. Long in the Legislature.

"We have had calls from parishes all over the state to start this program, and we are setting this up just as fast as we can get to them.

"This is the key to responsible, stable government. The vast majority are in favor of it. In fact, they are beginning to demand it. The fact that we whipped Long so decisively in the Legislature is evidence of it."

"Rainach said that efforts of segregation forces have already led to purging of the rolls in 21 parishes, mostly in north Louisiana, where the "political complexion has already changed as a result."

Doucet said that any American citizen should be allowed to vote. "Instead of being taken off the rolls, they ought to be helped on, so they would be able to vote," he said. Doucet said he had been "very kind" to the Negroes. "I take them to Charity hospital in New Orleans when they get sick, just like the whites," he declared.

He described himself as "very much a liberal—I believe in helping the poor devil that can't help himself. That's the biggest part of my religion.

NO TROUBLE

"If you treat the Negro right, give him justice, you will have no trouble with him. The Negro needs the white, and the white needs the Negro."

One of the controversies in the registration furor centers upon the practice of Negroes in certain areas all voting from the same precinct, regardless of the precinct in which they reside. This reportedly was particularly true in Eunice. However, the probers did not say if they would seek to require all Negroes to vote in their own precinct.

Rainach and Shaw departed Wednesday night for Homer, apparently confident they had left the probe in capable hands. It was expected to take several weeks to complete.

RIGHTS GROUP SLATES PROBE

Seven-Parish Hearing Set at Shreveport

By EDGAR POE
(Times-Picayune Staff Correspondent)

WASHINGTON — The civil rights commission, meeting in closed session, announced Thursday it will hold hearings at Shreveport beginning July 13 into 68 alleged denial of voting rights filed by Negroes in seven Northwest Louisiana parishes.

The hearings will be the first conducted in Louisiana since Congress created the commission over the opposition of nearly all Southern members of Congress.

The initial hearings in the South were conducted earlier this year at Montgomery and involved complaints by Negroes from Tuskegee and other Alabama communities.

A spokesman for the civil rights commission said the complaints by the Northwest Louisiana Negroes were received several months ago. Some alleged that they had been refused the right to register.

He said an attorney for the commission conferred several weeks ago with Gov. Earl K. Long and State Atty. Gen. Jack

(Louisiana Atty. Gen. Jack P. F. Gremillion's reactions to the vote registration investigation may be found in a story in Section 1, Page 3.)

P. F. Gremillion at Baton Rouge, and advised them the commission planned to make an inquiry into the complaints.

TWO INVESTIGATORS

Subsequently, the commission sent two investigators into the upstate parishes. The commission spokesman said complaints have been received from the following parishes: Caddo, Webster, Bienville, Bossier, Claiborne, De Soto, and Jackson. He said the governor and attorney general had promised the commission co-operation in the inquiry.

Subsequently, Atty. Gen. Gremillion advised the various parishes not to permit civil rights investigators to examine the registration rolls. Parish registrars have declined to allow investigators to check their books.

The civil rights commission first considered the Louisiana complaints at a Chicago meeting about three months ago. However, their formal action to hold the hearing was taken Wednesday night in Washington. A spokesman said the decision to have the hearings was by a vote of four members favoring the hearing and one member abstained from voting. Identity of the member that refrained from voting was not disclosed.

LIST MEMBERS

The public information department of the commission said that all five members now plan to attend the Shreveport hearing. The members are Dr. John A. Hannah of Michigan State university, chairman; Dean Robert G. Storey of Southern Methodist university's law school, vice-chairman; Doyle Carlton, former governor of Florida; the Rev. Theodore Hesburgh, president of Notre Dame university; former Gov. John S. Battle of Virginia, and George M. Johnson, former dean of the Howard university law school in the District of Columbia.

All states have a civil rights committee except Mississippi and South Carolina. The commission in Washington has been trying unsuccessfully to line up committees in those states for many months.

Civil rights is expected to become an issue in the Louisiana gubernatorial primary later this year. Some state officials estimate that 150,000 Louisiana Negroes will vote in the December primary election.

Commission May Hold Open Hearing

BATON ROUGE (Special To The La. Weekly) -- While the Federal Rights Commission in Washington, D. C., awaited reports on the voting probe in Louisiana, the Louisiana state officials this week issued demands and rejects on the issue.

Monday, Civil Rights director Gordon Tiffany demanded that Louisiana voter registrars answer a battery of questions about vote denial complaints.

Atty. Gen. Jack Gremillion, counsel for the registrars, countered with a reject on the civil rights director's demands for the registrars.

Earlier the registrars refused, through Gremillion, to answer 315 questions.

Sometime ago, eighty-eight Louisiana Negroes volunteered sworn statements on discriminatory vote denial to the federal group in the nation's capitol which was set up by Congress primarily to investigate such voting complaints.

Later, after receiving the complaints, the Federal group quietly "negotiating" with Gov. Earl K. Long, was given the green light, to investigate the voting complaints -- by mail.

The Rights Commission over two weeks ago mailed a lengthy set of questions about voting procedures to Louisiana state officials. The questions were to be answered by registrars in the state, some of whom are alleged to discriminate against Negroes.

Gremillion termed some of the questions ridiculous, immaterial and irrelevant. He said no specific complaints were cited.

Gremillion expressed regret that the commission staff did not go along with his suggestion that new questions with specific complaints be asked the registrars.

According to the state's attorney general, 16 registrars gave him instructions to reject the questionnaires and he had no alterative but to request the Civil Rights Commission director's reconsideration.

Tiffany said in his reply "I feel that any re-examination of your position on the interrogatories is now at the point which requires a policy decision by the members of this commission."

Gremillion said he could see no valid reason the registrars should not be told the nature and cause of accusations against them.

"I have been given to understand that these registrars have nothing to hide," Gremillion said, "but at the same time it may well be that these registrars would be very apprehensive of the results of such a severe examination as is proposed by these 135 questions without knowing what the complaints are."

"I have tried to point out to you," Gremillion said, "that these registrars feel that they are being imposed upon unnecessarily, and I fail to see why such a burden should be placed upon them as to require them to attempt to answer these numerous questions, many of which seem clearly to be immaterial."

Tiffany's telegram in part to Gremillion read:

"Questions of materiality, relavancy and other objections will be considered along with the complete answers by the commission in determing the necessity of a hearing.

"The interrogatories cover specific allegations of the complaints received by this commission. Such additional questions as appear in these inquiries are submitted by the staff of the commission as relevant to our statutory duties.

"At no time has the commission agreed to furnish the specific complaints or information which directly or indirectly would disclose the identity of complainants.

It is believed that if the Commissioners should fail to receive the mailed reports, it is possible they will call a hearing anyway to inqure into the 88 voting complaints in Louisiana.

So far, the federal commission has only held one public hearing on voting complaints - in Alabama, where they finally had to go to court to see voting records. The commission has 253 sworn voting complaints from 13 states in its files.

Registration Rally At Union Bethel

The Inter-Faith Council, a non political organization of which James O. Waters is Executive Director, will hold a city-wide Registration Meet on Monday, July 27th (rain or shine) at Union Bethel AME Church, corner Thalia and So. Liberty Sts. The meeting will open at 7:30 p. m. with Rev. T. W. Gaines as host pastor.

Guest speakers scheduled include Mayor deLesseps Morrison, Clyde F. Bel, Sr., chairmain, Registration Committee; Bishop F. D. Jordan, AME Church; Rev. Joseph Murphy, St. Phillip Catholic Church and Dr. L. Scott Allen, Editor, Central Christian Advocate.

Special guests will include Mrs. Stephen Lichtblau, president of the Women's Voters League; Dr. David Heiman, and 100 or more of our ministers who will sit in honor seats. Music will be furnished by the United Choir of Union Bethel Methodist and the famous Radio Choir of Second Historic Baptist Church.

Registration literature and blanks will be distributed during the meeting. A registration class will be conducted by the Union Bethel's Laymen League, who will serve as hosts. W. G. Gilbert is president of the league.

The council is asking for 1,000 ward leaders and precinct captains. Their goal is to register 50,000 persons and leave the other 36,000 for another organization to enroll. The group feels that if they work as a unit it can be done. Through the VOTE, Negroes can play an important part in the on-coming State election and also the Municipal election later on.

Members of the Council are appealing to the Negro people to consider these facts.

Today, only 31,447 persons out of 117,897 Negroes eligible are registered and can VOTE without hinderance. 86,456 Negroes are not registered. That number of voters could hold the balance of power in any election. They would be counted, honored and respected.

Atlanta, Ga., has 75,000 registered Negro voters and Baltimore, Maryland has 104, 588, and through this large number of voters, Negroes are elected to important official positions.

The Negro in New Orleans cannot boast of any such high honors for the lack of enough voting strength.

Come to the meeting on Monday night and bring a friend.

Officers are: Rev. W. Scott Chinn, president; James O. Waters, Executive Director; M. E. Johnson, secretary; Mrs. Gladys Roberson, ass't. secretary; J. W. Wilson, treasurer and N. L. Lumzy, vice president.

No Discrimination Needed to Halt Negro Vote-Solon

Intelligence Is Basis of Passing Tests, He Says

BATON ROUGE, La. (AP)—Sen. W. M. Rainach, Louisiana's segregation chief, told registrars of voters Wednesday "you don't have to discriminate against Negroes" to keep them off registration rolls.

"Nature already has discriminated against them," he added. "A large number of Negroes just can't pass the tests for registration.

"The tests are based on intelligence, not education, and intelligence is something that is bred into people, through long generations."

Rainach's legislative committee on segregation met with registrars of voters from the 12 parishes in the sixth congressional district.

ALSO ATTENDING

Also attending the session were Atty. Gen. Jack Gremillion and state director of registration Douglas Fowler.

The state officials outlined state registration laws and urged strictly following these requirements before permitting anybody to register.

"You are not going to remove all the colored people," Rainach explained. "The qualified Negroes will register. And in the process we are going to remove a few white people. Experience shows we will."

The meeting is one of a series held in each congressional district in a push for tighter enforcement of voter registration laws, aimed at removing Negro voters.

ORLEANS HEARING

Rainach has estimated 100,000 of about 130,000 Negroes on state registration rolls are registered illegally.

In New Orleans Thursday, the committee will wind up its statewide tour with a joint meeting of registrars from the first and second districts.

Segregation counsel W. M. Shaw pointed out the constitution requires each voter shall be able to "read and give a reasonable interpretation of any section of either the constitution of Louisiana or the United States selected by the registrar."

Sen. J. D. Deblieux of Baton Rouge snapped, "using that provision there isn't a person in this room I couldn't disqualify."

KNOWLEDGE REQUIRED

He suggested questions should be asked about local and state government "rather than some constitutional provision which you and I may differ over as lawyers. We have judges who differ on what the constitution means."

Shaw said knowledge of government already was required under the provision calling for understanding the duties and obligations of citizenship.

Earlier, Atty. Gen. Gremillion said the federal government was trying to fight "the War Between the States over again in the courts."

He suggested registrars seek legal advice from his office before answering questions by civil rights commission investigators or FBI agents.

LEGAL ADVISOR

The 1958 Legislature designated the attorney general as legal advisor to registrars of voters on matters concerning federal agencies.

Staff director Gordon M. Tiffany, in a recent Louisiana visit, indicated civil rights commission agents soon will become active in this state.

Gov. Earl Long said recently he didn't think Louisiana registrars had anything to hide.

But Shaw advised registrars to demand any question from federal agents be submitted in writing.

Deblieux asked if it wouldn't be easier "just to let them have the information without any fuss."

FOLLOW ORDERS

"These people are not out to enforce the laws," Shaw replied. "They are following orders from some politicians in Washington who want a specific thing done."

Deblieux insisted it would be better "to get it over with and answer their questions."

Shaw snapped, "no, that is not right . . . when dealing with those scoundrels in Washington the only way to protect yourself is to put it into writing."

Gremillion said activities of the commission were designed "to prolong federal interference in states rights."

PROBE CHARGES

Investigation of charges vote registrars in Alabama and Georgia refused to register Negroes, he said, were "designed especially to prove provocation in an effort to continue the civil rights commission in existence."

The commission expires in October unless Congress lets.

Registration director Fowler explained one reason registration laws were not strictly enforced was because people in the state didn't want it.

"The people wanted everybody on the rolls," he said. "Any failure to enforce the laws is everybody's fault. We want to uphold the laws, but registrars can't do any better job than the people are going to let them do."

In one area, Fowler said, a registrar of voters disqualified an elderly couple.

"They had four sons and three daughters," he continued. "All seven of them were married. That's 16 people who were hopping mad. That registrar didn't hardly dare even to go down to his office."

ON VOTING

Negroes To Appeal Decision

SHREVEPORT, La. (AP) — Negro leaders of three states are asking for a quick appeal of a federal judge's refusal to issue an order to prevent denial of Negro voting rights.

U.S. Dist. Judge Frank M. Johnson Jr., at Montgomery, Ala., turned down the plea on the grounds there was no one to issue an injunction because Macon County has no functioning voter registration board. Members of the board have resigned and no successors have been named.

Spokesmen for Negro organizations of Louisiana, Alabama and Georgia, in session here Saturday, asked an immediate appeal to the U.S., Fifth Circuit Court of Appeals in New Orleans. At the same time the Negro groups asked President Eisenhower and the attorney general's department to work for "more meaningful civil rights legislation."

Shreveport Vote Drive Underway

SHREVEPORT, La.—Behind the rallying cry "every qualified Negro a registered voter," this city's voter registration drive, spearheaded by the United Christian Movement with an all-out assist from the Southern Christian Leadership Conference, moved into high gear this week with the naming of a general chairman and a steering committee.

The Rev. R. C. Thomas, pastor of the Williams Memorial CME Temple, was named general chairman with several community leaders from the clergy, business and professions, trade unions, civic and fraternal organizations named as steering committee chairmen.

STEERING COMMITTEE

Steering Committee leaders include: James Pitts, owner Pitts Service station, and McKinley Lewing, owner Mack's Barber Shop, business and professions; the Rev. J. C. Smith, pastor Philadelphia Seventh Day Adventist church, and M. M. Flynn, educational director of the Louisiana Baptist Convention, church committee.

Mrs. M. C. Jarrett, civic and social leader, and the Rev. L. D. Scott, pastor, Avenue Baptist Church, civic and fraternal groups; Miss Madeline Brewer, principal, Central Free Methodist School, meetings and speakers; Mrs. M. M. Flynn, president, City Federation of Clubs, and Mrs. Clyde Lewis, active worker will serve as co-chairman.

Clarence Long, vice president local 4173 International Woodworkers of America, labor; Ellis Taylor and the Rev. B. Dorsey, block captains, and Mrs. Dorothy Simpkins, wife of U.C.M. president, Dr. C. Q. Simpkins, and the Rev. J. S. Thompson, pastor, Central Free Methodist Church, materials.

Directing the drive is Miss Ella J. Baker of Atlanta, Ga., associate director of the S.C.L.C.

The local drive is part of an intensive February-March North Louisiana effort to add thousands of qualified Negroes to the voter rolls and similar organizations will be set up throughout the area.

Miss Baker, now in the city, explained that while March 15 is the tentative deadline for the current voter drive, registration efforts will be carried on throughout the year — "Because, she added, the only effective answer to the segregationist drive to purge 100,000 Negroes from the registration rolls of Louisiana is a constant and determined effort by Negroes to become registered voters."

SOME MEMBERS OF Shreveport, La., Steering Committee confer with Campaign Chairman, Rev. R. C. Thomas second from left, seated. Others seated left to right, Rev. L. D. Scott, co-chairman Organizations Committee, Ella J. Baker, Drive director, and Dr. C. O. Simpkins, president, United Christian Movement, Incorporated, sponsoring agency. Standing — Rev. L. P. Sims, secretary U. C. M., Rev. J. B. Simmons, executive member U.C.M., Rev. B. Dorsey, co-chairman block captains, Miss Madeline Brewer, chairman, meetings and speakers division, Mr. James Pitts, co-chairman business and professions committee, Rev. J. S. Thompson, co-chairman Materials committee, and Mr. Clarence Long, Labor chairman.

LAKE CHARLES BUS LAW HIT

Suits Asks Segregation Be Ended

LAKE CHARLES, La. (AP) — Three Negroes asked U.S. District Court Thursday to declare unconstitutional the city ordinance requiring segregation on city buses.

In their suit, the Negroes contended the ordinance violated the 14th amendment to the U.S. Constitution.

The suit was filed by Lawrence Connley, Mrs. Yvonne Robertson and Mrs. Marietta Brown. They asked a temporary injunction and a final decree in behalf of themselves and all Negroes in Lake Charles.

They said they are "suffering great injury, inconvenience and humiliation" as a result of the segregation ordinance.

Connley is president of the local chapter of the National Assn. for the Advancement of Colored People.

The three plaintiffs said while acting as member of a citizens committee last year, they petitioned the city council to drop the ordinance, but the council turned down the request.

Defendants named included Mayor Sidney Gray and manager John Poss of the Lake Charles Transit Co. which operates the buses.

Segregated seating has already been eliminated on New Orleans public buses under federal court order.

Recent figures made public by the United States bureau of the census based on the results of the Nov. 28, 1959, special census in New Orleans showed that there were 375,439 persons in the city who were 21 years of age or older. The variation in population from that since then would be only slight.

Subtracting 193,722 from 375,439 would leave 181,717, which would approximate closely the number of unregistered residents of New Orleans who are 21 years of age or older.

Of the 193,722 names on the registration rolls at the end of last month, 162,275 were those of white persons and 31,447 were those of Negroes.

According to the Nov. 28, 1959 census, of the 375,439 residents of the city who were 21 years old or older, 257,542 were white persons and 117,897 were listed as non-white. Among the non-white 117,426 were classified as Negroes. The non-whites who were not Negroes thus numbered less than 500 or only a tiny fraction of the voting age population.

Comparing the totals by race, as of March 28 there were 95,267 white persons who were not registered and 86,450 non-whites unregistered.

A campaign to register persons who are not registered is being conducted by the New Orleans registration drive committee of which Clyde F. Bel Sr. is chairman. Headquarters of the campaign are in Room 1E05, City Hall, which is immediately across the corridor from the office of the Orleans parish registrar of voters' office. Information regarding the procedure and mechanics of filling out a registration application card is available in the campaign headquarters.

FEW NEGROES ARE REGISTERED

About 125 Appear at Shreveport 'Rally'

(Special to The Times-Picayune)

SHREVEPORT, La., April 30 — About 125 Negroes went to the registrar of voters office Thursday morning in response to what had been billed as a mass rally to register Negroes.

By noon, four Negroes had qualified to register to vote.

Six others had failed to qualify because they had no proof that they had lived in Louisiana the required one year. Six others failed to qualify because they filled out their registration cards incorrectly.

CROWD ORDERLY

Just before noon, 59 Negroes were waiting in line to register. U. Charles Mitchell, parish registrar, said the crowd was orderly.

Dr. C. O. Simpkins, president of the United Christian Movement, a Negro organization, did not show up at the registrar's office. The movement for the mass registration was started by a letter mailed Saturday by the UCM and it urged Negroes to appear at the office at 9:30 a. m. and again during the afternoon. The letter designated March 19 as R Day.

At 9:30, only 29 Negroes had gathered at the registrar's office. About 46 more came in later. Only two applicants were allowed in the office at one time. Mitchell said that the Negroes who did fill out cards took about 30 minutes each to do so.

"I'm not hurrying anybody," Mitchell said. "All I ask them is if they have something to prove that they have lived in Louisiana for a year. If they have, then they are entitled to fill out the application."

PROVE RESIDENCE

A driver's license or homestead exemption receipt were among the instruments acceptable to prove a year's residence. Under the law, Mitchell is not allowed to assist the voter applicant in filling out his card.

The letter sent to Negroes here Saturday was signed by Ella J. Baker, Atlanta, Ga., who is associate director of the Southern Christian Leadership Conference. She would not discuss the project with the press.

The letter was headed "City-wide voter registration," and was signed by the Baker woman and R. C. Thomas, also of the Southern Christian Movement. It said that "important steps toward first-class citizenship should be taken.

"Democracy can be preserved only as long as it is a government of the people, by the people and for the people. This means all people—all races, all creeds, all colors."

180,000 ELIGIBLE NOT REGISTERED

193,722 Now on Rolls as Qualified Voters

Voter registration and federal census figures indicate that over 180,000 New Orleans residents who are 21 years of age or over are not registered.

According to the office of Orleans parish registrar of voters Louis Knop Jr., there were 193,722 persons whose names were on the Orleans parish registration rolls as of March 31.

Civil Rights Probe Set For Louisiana

Complaints To Be Checked —May Not Be A Hearing

BATON ROUGE, La., Jan. 22 (AP)— Staff director Gordan M. Tiffany said Thursday the United States Civil Rights Commission soon would move into Louisiana to investigate complaints Negroes were denied voting rights.

Mr. Tiffany, former New Hampshire attorney general, said plans were not set, but a number of complaints had been received from the state.

Civil Rights Commission hearings in Alabama resulted in defiance by a state judge and a Federal Court order to produce registration records.

The Alabama controversy, Mr. Tiffany said, "is now in the hands of the courts and no longer our problem."

"I can't say whether we will hold hearings in Louisiana," he said. "Hearings are incidental to finding the facts."

He said his agency's job was to investigate and make a report to Congress. "We have no enforcement powers," he explained.

The Federal official met for almost two hours with Atty. Gen. Jack Gremillion and his staff, explaining the provisions of the 1957 Civil Rights Act.

"I told Mr. Gremillion that it is the policy of our agency to contact state officials and let them know when we conduct an investigation in their state," Mr. Tiffany said.

In an interview, Mr. Tiffany said, "We have had complaints that Negroes were denied their rights in Louisiana, but complaints are getting to be commonplace in our office.

"We have had more than 500 complaints over the South, with 100 sworn to in affidavits."

White citizens council vote purges in Louisiana stripped thousands of voters from registration rolls several years ago, touching off FBI probes. Both times Federal grand juries returned no indicitments.

Federal Group Reveals Probe In Louisiana

BATON ROUGE (AP) — The U.S. Civil Rights Commission expects to move into Louisiana soon to investigate complaints Negroes were denied voting rights.

Commission Staff Director Gordon M. Tiffany said so yesterday, and Louisiana Atty. Gen. Jack Gremillion notified Tiffany of a 1958 act of the State Legislature which named the attorney general as defense counsel for registrars of voters under fire from federal agencies.

Tiffany met with Gremillion and his staff for almost two hours, explaining the provisions of the 1957 Civil Rights act under which the commission was created.

"I told Mr. Gremillion," Tiffany said to newsmen later, "that it is the policy of our agency to contact state officials and let them know when we conduct an investigation in their state."

Tiffany, a soft-spoken New Englander, said he would contact Gremillion before interviewing any registrar in Louisiana. He is a former attorney general of New Hampshire.

In an interview with The Associated Press, Tiffany said, "we have had complaints that Negroes were denied their rights in Louisiana, but complaints are getting to be commonplace in our office.

"We have had more than 500 complaints over the South, with 100 sworn to in affidavits."

Vote purges by Citizens Councils in Louisiana several years ago stripped thousands of voters from registration rolls on the grounds they did not meet qualifications. The FBI investigated, but federal grand juries returned no indictments.

VOTING PROBE SLATED IN LA.

Civil Rights Official Visits Gremillion

(The Times-Picayune Capital Bureau)

BATON ROUGE, La. Gordon M. Tiffany, staff director of the United States civil rights commission reported Thursday complaints Negroes were being denied voting rights would be studied here.

He met nearly two hours with state Attorney General Jack P. F. Gremillion, who said the meeting was "very pleasant," and "in a spirit of co-operation."

Gremillion said Tiffany "informed me a civil rights advisory group had been formed today in New Orleans." The commission, he said, was not investigating with a view to criminal prosecution.

FACTS ARE SOUGHT

"They are just interested in determining the facts on the basis of complaints," said Gremillion, who has fought vigorously to uphold the state's segregation laws.

"He said he would inform this office concerning any investigation of a registrar in the state, in compliance with the law," said Gremillion.

"He also made it clear the commission would use its own investigator—not the FBI." His office, said Gremillion, would be informed prior to any investigations in the state.

A former New Hampshire attorney general, Tiffany said plans were not finalized, but a number of complaints had been received from the state.

Civil rights commission hearings in Alabama recently resulted in a tangle between a federal judge and a state judge, who had refused to produce voter registration records.

Over 500 complaints from all parts of the South have been received by the commission, said Tiffany. They were becoming "commonplace," he said.

FBI INVESTIGATIONS

White citizens council vote purges in the state stripped thousands of voters from registration rolls several years ago, resulting in FBI investigations, but no indictments were returned.

Sen. W. M. Rainach's legislative segregation committee has been meeting with state voter registrars to coach them in the most effective methods of coping with federal investigators.

Tiffany said he visited the state capital to "get acquainted with the people down here." Earlier, he said, he attended the organizational meeting of the commission's advisory committee for Louisiana.

Gremillion said Tiffany departed from his office with a copy of Act 482 of the Louisiana Legislature. The act states the attorney general shall act as counsel for registrars called before a federal board.

Tiffany also visited with Lt. Gov. Lether Frazar. Gov. Earl K. Long was reported out of town. The commission director later left by plane for Chicago.

"We have nothing to hide," declared Gremillion later.

Rainach Cites Shift in Fight

BATON ROUGE, La. (UPI) — State Sen. W. M. Rainach, chairman of Louisiana's joint legislative segregation committee, said Thursday the battle for integration is shifting from the courts to the polls.

Rainach's remarks to a session of the Louisiana Assessors' Assn., came shortly before a meeting of the attorney general with Gordon Tiffany, civil rights commission director charged with probing voter complaints.

"The federal government really has little right to interfere with the registration and voter laws of a state," he said. "The constitution only provides there can be no discrimination because of race, sex or color.

He said the program of his "watchdog" committee on segregation will not discriminate against voters on the basis of race, color, or sex. But he added:

"Since the constitution of 1897, Louisiana registration and voting laws have given us the power we need. Other states have adopted them. The program is statewide in the beginning. It will be southwide in the near future."

"All power is in the hands of the states. All we have to do is assert that power," he said.

Rainach said the battle for integration is shifting now from legal pressures through the courts to political pressures through elections and reminded the assessors:

"By 1940 Negro registration in Louisiana had shrunk to one-tenth of one percent — the lowest it has ever been.

"Then we forgot about it and by 1956 the Negro registration had bounced back up to 15 per cent."

VOTE REGISTER LAW PLEA MADE

Rainach Urges Enforcement in Louisiana

(Special to The Times-Picayune)

ALEXANDRIA, La.—An attorney for Sen. W. M. Rainach's legislative committee on segregation told parish officials from the Eighth District at a meeting here Thursday that the committee would like to see registration laws enforced in Louisiana.

[illegible] counsel for the watchdog committee, also urged registrars to stop worrying about FBI agents and other federal officials coming into their offices and questioning them.

He warned registrars to make no verbal answers to any questions that might be posed by FBI agents or members of the civil rights commission.

TRAVEL IN PAIRS

"They travel in pairs; and while one is asking you questions, the other is taking notes," Shaw said. "This puts you at a disadvantage because they usually try to get the registrar alone to question him.

"This means the FBI has two witnesses to any conversation between you if they go into court. You have no one to verify your story.

"By this I do not mean FBI agents are addicted to lying, but at the same time I do not mean they are addicted to the truth."

Outlining state registration laws Shaw urged strict but impartial enforcement. He said this would include requiring the voter to satisfy the registrar that he is aware of his duties as a citizen before he may register.

IDENTITY EVIDENCE

It would also include ability to interpret the constitutions of both the United States and the state of Louisiana.

Applicants also would have to produce evidence of identity if the registrar does not know them personally and they must be of good character.

Elaborating on these points, Shaw told of a plan whereby state department of public welfare officers would turn over information about parents of illegitimate children to the registrars.

According to Shaw, such parents are "clearly not of good character."

The Alexandria meeting was one of a series being conducted throughout the state by the Rainach committee. It was attended by judges, sheriffs, district attorneys, registrars and some police jurors from all parishes in the Eighth Congressional District.

La. Negro Vote Hits 130,260

BATON ROUGE—A total Negro voters registration of 130,260 has been reported in Louisiana by the State Board of Registration.

The total white registration is 812,183, making a toatl of 942,443 on Dec. 31, 1958, the report said.

• The new report by Douglas Fowler, state board director, said the white total made up 86% of the roster in the 64 parishes and Negroes 14%. Negroes are registered only in 61 parishes.

Dec. 17, 1955, just before the January, 1956, gubernatorial election, the state roster reached 1,040,193, with 884,733 whites and 155,460 Negroes registered.

Latest figures show there are 929,992 Democrats and 8,601 Republicans registered in Louisiana. Also, there are 23,970 white and 12,870 Negro illiterates on the rolls.

LOUISIANA BRIEFS VOTE REGISTRARS

Segregation Chiefs Outline Procedures—Caution on Queries by U. S. Agents

Special to The New York Times.

ALEXANDRIA, La., Jan. 15 — Louisiana segregation leaders told registrars of voters from Louisiana parishes today how they want registration laws enforced in Louisiana in the future.

The aim of a meeting here was "educating parish officials on our registration laws and their enforcement," according to State Senator W. M. Rainach, chairman of a joint legislative committee on segregation.

Senator Rainach is a former president of the White Citizens Council of America.

The main speaker was William M. Shaw, special counsel to the committee and one of the lawyers who defended John Kasper, the segregationist, in the Tennessee racial strife a few years ago.

Warns on U. S. Agents

Mr. Shaw warned registrars to make no verbal answers to any questions that might be posed by the Federal Bureau of Investigation or members of the Civil Rights Commission.

"They travel in pairs, and while one is asking you questions the other is taking notes," Mr. Shaw explained. "This puts you at a disadvantage because they usually try to get the registrar alone to question him.

"This means the F. B. I. has two witnesses to any conversation if they go into court," he continued.

"This means the F. B. I. has two witnesses to any conversation if they go into court," he continued.

"By this I don't mean F. B. I. agents are addicted to lying," Mr. Shaw said, "but at the same time I don't mean they are addicted to the truth."

Outlining Louisiana registration laws, Mr. Shaw urged their strict enforcement. This would include requiring the voter to satisfy the registrar that he is "aware of his duties as a citizen before he may register."

It would also include ability to interpret the constitutions of the United States and Louisiana. Applicants must be of good character, Mr. Shaw pointed out.

He revealed a plan whereby Department of Welfare offices would turn over information on parents of illegitimate children to the registrar. According to Mr. Shaw, such parents are "clearly not of good character."

On interpretation of the two constitutions, Mr. Shaw revealed a set of twenty-four cards, each including three passages from the constitutions, which is already being used in some Louisiana parishes.

He explained that the applicant for registration would select a card at random and tell the registrar what the three articles mean.

Identification Procedure

On the question of identifying applicants, Mr. Shaw said that registrars usually know most of the whites in a parish, but "with most Negroes you can hardly tell one from the other nor can you tell their age."

He urged registrars to force any person whom he cannot identify to bring two registered voters fro mthe applicant's precinct before he is allowed to register.

Senator Rainach said meetings had been held in other districts, but today's session was the first in Louisiana that has been widely attended by members of the press as well as interested officials.

While Mr. Shaw denied that his committee was seeking to influence the number of Negroes on Louisiana registration rolls, he later said that "it is up to the registrars to help us win this battle."

The legislative committee is responsible for the majority of Louisiana state laws aimed at barring integration of public schools and facilities.

Complaints Pouring In To US, Agency

BATON ROUGE, LA. (Special to The Louisiana Weekly) -- Discriminatory tactics which have denied Negroes the right to vote will be studied in Louisiana.

The announcement was made here last Thursday by Gordon M. Tiffany, staff director of the United States Civil Rights Commission following a two hour long conference with state Attorney General Jack P. F. Gremillion. It was pointed out by Gremillion that he had been informed by Tiffany that a Civil Rights Advisory group for Louisiana has been formed in New Orleans. Among those named to the commission were Dr. Albert W. Dent, president, Dillard University and Rev. W. T. Handy, Jr., Alexandria.

Rev. Handy is pastor of Newman Methodist Church and Grand Chaplain of the Most Worship Prince Hall Masonic Grand Lodge of Louisiana.

According to Tiffany's statement as reported by Gremillion "the commission was not investigating with the intent of criminal prosecution in mind."

The commission is primarily interested in determining the facts on the basis of the reported complaints concerning Negroes being denied voting rights. The commission will use its own investigators and not the FBI, said Gremillion.

Tiffany stated that final plans had not been made but several complaints had been received from the state. He further stated that throughout the South more than 500 complaints have been received and they were pouring in daily.

Included in the probe will be the voter registration offices throughout the state. Senator Willie M. Rainach, head of the legislative segregation committee, announced that he has been meeting with state voter registrars "to coach them in methods of dealing with federal investigators."

According to Rainach, the program of his "watchdog" committee on segregation will not discriminate against voters an order to show voter records to the Civil Rights Commission.

Johnson stated Monday, "Wallace despite 'devious methods' actually helped the commission in an investigation of Negro voting complaints."

The federal judge made no direct accusation of political notives behind Wallace's recent conduct, but asserted if that were the case, "this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

By Johnson's action Monday, Wallace was cleared of the contempt charge after a hearing called for him to show cause why he should not be punished for giving the records of two counties to grand juries instead of federal agents as Johnson ordered.

Johnson accused his former college classmate of using "devious methods" to turn registration records over to hastily summoned grand juries in Barbour and Bullock counties instead of handing them to federal agents in compliance with a federal court order.

Johnson added "Even though it was accomplished through means of subterfuge, Wallace "did comply" with the order when the records were made available by the grand juries."

Wallace, according to the decree, attempted to give the impression that he was defying this court's order by turning the records over to the grand juries, but that actually he assisted the federal agents.

At the same time, in dismissing the contempt charge, Johnson also tossed out a written plea of guilty in which the defendant boldly told the court he had refused to comply with its order.

To many, the side-armed curves tossed Monday were balks, for it has been the verdict of public opinion that Wallace "surrendered" when it was obvious that he could not win in his battle with the Civil Rights Commission.

The grandstand play to get jailed for defying the U. S. court order clearly backfired in Ex-Judge Wallace's face when Judge Johnson ruled he had complied with the order to turn the vote records over to the Civil Rights Commission through the county grand juries.

Louisiana Voting Hearings In Shreveport Next Month

By United Press International

WASHINGTON, June 11.—The Federal Civil Rights Commission announced Thursday it will hold public hearings in Shreveport, La., next month to investigate charges that Negroes were barred from voting in northwest Louisiana.

It voted 5-0 to open the hearings July 13 after Louisiana officials refused to allow commission investigators to examine voting records. The commission said it had 68 sworn complaints from Negroes in nine parishes (counties) in the northwest section.

All the Negroes charged they had been denied the right to register or vote because of color.

The hearing will be the second into alleged discrimination in voting because of race. The commission held hearings in Montgomery, Ala., last December after state officials refused to make voting records available.

Books Check Denied

A commission spokesman said parish registrars refused to allow investigators to check the Louisiana books. Faced with this refusal, he said, the commission at a meeting in Chicago last month ordered the staff to confer with Louisiana Gov. Earl K. Long.

He said the staff officials had conferred with Governor Long, now receiving psychiatric treatment in a Texas hospital, and with the state attorney general in an effort to look at the voting records of the nine parishes.

According to the commission spokesman, the commission representatives reached an understanding with the attorney general that he would try to help obtain the information if the commission specified what it wanted.

As a result, the spokesman said, the commission sent 315 questions to the attorney general about three weeks ago. He said the questions had not been answered.

The Shreveport hearings will be open to the public unless a witness asks to testify in secret.

There are six members of the Civil Rights Commission. One member, who was not identified, abstained from voting when the group decided to hold the hearings.

Complaints Received

The commission spokesman said complaints have been received from the following parishes: Caddo, Webster, Dienville, Bossier, Claiborne, De-Soto, Jackson, Ouachita and Red River.

In Lafayette, La., Louisiana Atty. Gen. Jack P. F. Gremillion charged that "ghost complainants" filed the complaints with the commission.

"I'll be ready, Gremillion said. "I was expecting a hearing."

"I was expecting them to hold a hearing even if we had answered those questionnaires," he said.

"I think it's a pitiful situation when less than 100 complainants can file affidavits accusing a state of discriminating in voting rights. It's disturbing when . . . ghost complainants can bring the full power of the Federal Government against a state."

NEGROES HARDEST HIT

Louisiana Purging Registration Rolls

BATON ROUGE, La., Feb. 14 (AP)—Louisiana, defiant of possible federal intervention, is busy trying to erase more than 180,000 Negroes from vote registration.

Segregation leaders have enlisted legislative, executive and judicial branches of state government in seeking rigid enforcement of voter registration laws. They said the U.S. Civil Rights Commission will have no basis for action if the laws are enforced impartially.

State Sen. W. M. Rainach, Louisiana segregation chief, said some white voters also may be chopped off, but added many would-be Negro voters would be eliminated for each white person affected.

"You don't have to discriminate against Negroes," said Rainach, chairman of the legislative "watchdog" committee on segregation, "Nature already has discriminated against them.

Cannot Pass Tests

"A large number of Negroes just can't pass the tests for registration. The tests are based on intelligence, not education, and intelligence is something that is bred into people through long generations."

Rainach also is presidnet of the Assn. of Citizens Councils of Louisiana, a group that has purged thousands of Negro voters, and a number of whites, in recent years.

Staff Director Gordon M. Tiffany, in a recent Louisiana visit, said Civil Rights Commission agents soon would be active in the state although no hearings had been scheduled.

Commission investigations in Alabama and Georgia have produced federal court action. Two previous federal probes of alleged discrimination in Louisiana failed to produce indictments.

Gov. Earl Long recently said he didn't think Louisiana registrars had anything to hide and suggested they should open up records to the commission or FBI agents.

Rainach's committee, along with Atty. Gen. Jack Gremillion and State Director of Registration Douglas Fowler, has completed a series of meetings with registrars of voters, instructing them on how to tighten enforcement.

Rainach predicted rigid enforcement will cut the approximately 130,000 total Negro registration to 13,000. At present Louisiana has slightly more than 800,000 registered voters.

Two-Edged Sword

Registration laws provide a two-edged sword to trim Negro registration:

1. A lengthy application form that must be filled out in the applicant's own hand without assistance or referring to notes. "This is a test that must be passed," Rainach says.

2. The requirement he must "demonstrate his intelligence by reading and giving a reasonable interpretation of any portion of the Constitution of Louisiana or the United States selected by the registrar."

Any mistake in the application subjects the applicant for disqualification, or later challenging, under Louisiana law. The registrar or any two qualified voters may challenge any voter. He must prove he is properly registered within 10 days or be removed froin the rolls.

Negroes counter this with registration schools to instruct would-be voters in filling out the applications.

Registration Laws Will Be Enforced

Louisiana Senator Predicts Most Negroes To Fail

NEW ORLEANS, Feb. 12.—(UPI)—The chairman of Louisiana's joint legislative committee on voter registration predicted Thursday that 117,000 of the state's 130,000 registered Negroes will be stricken from the rolls within two years.

State Senator William M. Rainach said Negro registration would be cut to 13,000 in the state through a registration purge based on "strict compliance" with Louisiana's registration laws.

Under the laws voters can be required to interpret sections of the state and Federal constitutions, and Senator Rainach predicted that most Negroes couldn't do it.

Senator Rainach's remarks were directed to a meeting of voter registrars.

William M. Shaw, counsel for the legislative group, also told the meeting, "We want everyone who is intelligent and who has the ability to exercise the franchise to vote."

"We do not want everybody to vote," he said. "The law contemplates only those who were exceptionally intelligent would be allowed to vote."

Earlier in the meeting Attorney General Jack Gremillion declared that the state has fair voter registration laws. "We don't need the interference of the Federal Government in one of the few rights remaining in the state," he said.

He said registrars of voters should refuse to discuss any questions put to them by Federal civil rights investigators.

SLASH IN NEGRO VOTE FORECAST

Rainach Presides at Registrars' Meeting

A drastic number of registered Negro voters will be stricken from the rolls throughout the state within the next two years, State Sen. William M. Rainach predicted here Thursday.

He said that by strict adherence to the registration laws of Louisiana the 130,000 Negroes now registered throughout the state should be cut to 13,000. The 30,000 Negro voter registration in New Orleans should be reduced to 3000, he added.

Rainach, chairman of the joint legislative committee on registration, presided at a meeting in the civil courts building with vote registrars and other parish officials from the First and Second Congressional Districts.

Under the law, Sen. Rainach said, voters can be asked to interpret, reasonably, short sections of the state and federal constitutions. Many Negroes, he added, will be unable to meet such a requirement.

'PUBLIC MUST HELP'

The New Orleans meeting, according to the chairman, was the seventh to have been held by the legislative committee in the state. "They are designed to bring about a uniform enforcement of registration laws. This is a program "fraught with great significance," Sen. Rainach said.

The registrars and elected officials of the state working together to purge the rolls of unqualified registrants "cannot carry out the program alone. The public must help," he added.

William M. Shaw, Homer, counsel for the legislative group, was among the speakers discussing various phases of the registration laws. He also discussed the functions and operations of the federal civil rights commission created under an Act of Congress.

"We want to exclude the people who are not qualified to vote," he said. "The applicant for registration must be a person of good character. We do not want everybody to vote.

"We want everyone who is intelligent and who has the ability to exercise the franchise to vote. The registrars of voters are not important officials. I ask them only to administer the laws impartially, without regard to race or color . . . Block voting is the cancer of the American voting system and should be stopped."

Shaw said that there had been numerous instances in Louisiana where persons who had attended schools for instruction on registering, attempted to switch cards that had been made for them at the schools for those the applicants were supposed to fill out themselves.

Referring to the plan of requiring applicants for registration to give reasonable interpretations of sections of state and federal constitutions, Shaw said that applicants for American citizenship must take similar tests.

District Attorney Leander H. Perez of the Plaquemines-St. Bernard district explained the use of a system of cards with simple consitutional clauses, which registration applicants are asked to interpret in Plaquemines parish.

GREMILLION EXPLAINS

Perez suggested that the legislative committee seriously consider having a statute enacted making use of such a plan statewide.

Atty. Gen. Jack P. F. Gremillion explained that under a 1958 statute the attorney general is specially designated to defend registrars, their deputies and employes, against any federal charges brought in connection with enforcement of registration laws.

"I told a federal congressional committee," Gremillion said, "that we do not need intervention or assistance of the federal government in preserving the right to vote in Louisiana. That is a matter to be determined by the state.

"If we handle the situation firmly but effectively, we have nothing to fear." ... ...

The attorney general advised registrars and their employes to answer no questions propounded by members or representative of the federal civil rights commission without first getting in contact with him.

RIGHTS GROUP RAPPED

Gremillion read a letter he had received from Gordon M. Tiffany, a staff director of the civil rights commission, stating that if it were necessary to subpena any vote registrar, Gremillion would be notified in advance.

"I feel," Gremillion said of the federal act creating the civil rights commission, "that this is another weapon of the federal government to break down the last great bulwark reserved to the states — the right to prescribe the rules and regulations for registering voters."

The speaker pointed out that the civil rights commission has not gone to the North to check on voting there. The commission, he said, has come into the South to apparently institute investigations to instigate a feeling that it is necessary for Congress to extend the life of the commission.

VOTE PROBE HIT BY GREMILLION

'Ghost Complainants Are Cause, Is Charge

(By The United Press International)

Louisiana Attorney General Jack P. F. Gremillion charged Thursday that "ghost complainants" are responsible for a civil rights commission hearing in Shreveport to investigate alleged denial of Negro voting rights.

Gremillion was in Lafayette, La., to speak to the local Rotary Club when notified on the commission's decision by United Press International.

"I was expecting it," said Gremillion, who has refused to answer 315 questions posed by the commission. "I was expecting them to hold a hearing even if we had answered those questionnaires."

"I'll be ready," he said. By law, the Louisiana attorney general must defend voting registrars in such cases.

'PITIFUL SITUATION'

"I think it's a pitiful situation when less than 100 complainants can file affidavits accusing a state of discrimination in voting rights.

"It's disturbing when . . . ghost complainants can bring the full power of the federal government against a state.

"We have no idea of the nature of the charges and the commission won't tell us," Gremillion said.

In Baton Rouge, Acting Gov. Lether Frazar withheld comment until consulting with Gremillion.

Voting registrars in Northwest Louisiana also refused comment.

"We've always tried to cooperate," Gremillion said. "We have nothing to hide. But we are not going to cooperate to the extent of incriminating people — registars or voters — in violation of their constitutional rights."

HITS AT QUESTIONS

Gremillion said he had expected the hearing to be called in August instead of July.

In a letter dated May 28, Gremillion told commission director Gordon Tiffany that some of the questions in the commission questionnaire were "rediculous."

He said Tiffany earlier inferred that "if I would cooperate fully to see that you received the information requested," a full - scale hearing would be avoided.

"Finally, you state the commission will still be free to hold a hearing if it feels such action is necessary," the letter said. "There does not seem much use in going to the trouble in attempting to answer so many interrogatories which appear so irrelevant."

Gremillion told reporters the commission's attitude "was such that we might as well have the hearing and get it over with."

La. Segregationists

Plan to Disqualify 117,000 Race Voters

NEW ORLEANS — Louisiana segregationists have set their sights on purging 117,000 of the 130,000 Negroes from the state's voting lists, State Senator Willie M. Rainach disclosed in addressing two meetings in this area last week.

Rainach, chairman of Louisiana's Joint Legislative Segregation Committee, addressed a meeting of vote registrars in the Civil Courts building here, and also a Citizens Council's meeting in Metairie, La.

He said the Negro registration would be cut to 13,000 within the next two years through a "purge based on strict compliance" with Louisiana's registration laws.

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UNDER THE LAWS, voters can be required to interpret sections of the state and Federal constitutions. Rainach predicted that most Negroes "couldn't do it."

William M. Shaw, counsel for the segregationists, told the registrars:

"We want everyone who is intelligent and who has the ability to exercise the franchise to vote. We do not want everybody to vote. The law contemplates only those who were exceptionally intelligent would be allowed to vote."

Attorney General Jack P. F. Gremillion declared that the state has fair registration laws. "We don't need the interference of the Federal Government in one of the few rights remaining to the states," he said.

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HE INSTRUCTED registrars to refuse to discuss any questions put to them by Federal Civil Rights investigators. He urged them to contact his office immediately after a Federal agent shows up.

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State Representative John S. Garrett of Claiborne Parish warned that New Orleans will face school integration by September.

Lafourche Par. Rejects 'Lil Willie's' Plan

State Senator Willie M. Rainach, chairman of Louisiana's "Watch Dog" legislative committee on matters of segregation and who makes a lot of noise because he wants to be the next governor of Louisiana has announced a hatchet plan to reduce the number of Negro voters in the state to about 30,000.

According to the records, there are some 130,000 Negroes among the 800,000 registered voters in the state and they make up about 14 per cent of the total registered voters.

Rainach and his "white supremacy gang" are attempting to "let the heads roll" of Negro voters through the enforcement of a 60-year-old Louisiana voter registration law dating back to the 1898 Constitution. The law works directly against Negroes, although little Willie Rainach of dubious intelligence and heritage, claims "the registrars don't have to discriminate against Negroes for nature already has discriminated against them (Negroes) and they can't pass the tests." ("The more little Willie talks, the simpler he sounds...like a real political clown.)

The registration laws, which Rainach feel to be his secret weapon of "discrimination and hate," require that the applicant demonstrate his intelligence by reading and giving a reasonable interpretation of any portion of the Constitution of Louisiana or the United States selected by the registrar. In many instances the intelligence of the "testor" is far below that of the "person being tested" be they white or black, but Rainach through his "coaching conference wants to make certain that only black-heads will fall and roll from the registration rolls."

Keen political observers feel that Rainach's proposal designed to "slow down" the voting power of Negroes in Louisiana, will also backfire on the white voters. Because it is aimed at permitting only the "intelligent" class people of the state to vote, a number of whites will also be dropped from the rolls.

A good example that Rainach's (hair brain scheme) will also hamper thousands of whites was revealed when Lafourche parish promptly rejected Rainach's "hatchet" plan.

Lafourche parish police jury has informed Rainach's segregation committee it would disfranchise too many Lafourche voters.

Registrar Severin Breaux said of 22,918 registered voters in the parish, 2343 white and 325 Negroes could not read and write.

A lengthy application form must be filled out by the applicant without assistance in his own handwriting and any mistake will subject the applicant to disqualification or later challenging by either the registrar or two qualified voters.

The latter method was effectively used in north Louisiana when hundreds of Negroes were purged from the rolls.

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No word has come from the Negro community as to what approach leadership will take to meet this renewed menace and as one organization leader said - "No comment and no statement. We'll let Willie Rainach hear from us unexpectedly. We have gone too far to quit now. This is just another battle in our fight to be treated the same as any other law abiding American citizen.

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T. R. Waring, white editor of the pro-segregationist Charles (S. C.) News and Courier, who appeared on the program with Wilkins, sought to justify Huntley's position in an issue of the Courier dated Feb. 6.

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Door To Door Registration Effort Slated In 7th Ward

The Louisiana Weekly New Orleans, La.
Sat. 10-31-59.

(Special to the Louisiana Weekly) - The New Orleans Chapter of the Frontiers of America will spearhead a door-to-door voter registration campaign in the 7th Ward, beginning Tuesday, October 27.

Marcus Neustadter, Jr., president of the local unit, made the announcement Tuesday following a meeting at Dooky Chase Restaurant.

According to Neustadter the program is under the direction of J. Harvey Kerns, executive director, Urban League of Greater New Orleans; Dr. Daniel C. Thompson, Giles Hubert and Henry Thomas, all of Dillard University; Nathaniel Dorsey, industrial relations secretary, Urban League; Cecil W. Carter, chief auditor, Good Citizens Life and Rev. Milton L. Upton, minister, Beecher Memorial (Congregational) United Church of Christ.

He further noted that "The Frontiers of America is a service club, non-partisan and non-political in structure. Our effort is not to be taken as the beginning of another political organization, or the joining of ranks with any existing political unit.

"We, as citizens, are interested in good government and also in those who are to be chosen by the people to fill various offices. We feel that every eligible person should be a registered voter. It is the responsibility of every American citizen to participate and have a voice in both the affairs of his country and government, and in selecting those to fill all offices," added J. Harvey Kerns.

According to Dr. Daniel C. Thompson, there are representatives of both major political parties in the Frontiers membership both locally and nationally. "We are interested in getting more registered voters on the rolls. It will be the various candidates job to sell themselves and their platforms to the voters," he said.

"PILOT AREA"

Henry Thomas stated that the first effort of the campaign would be on Tuesday, October 27 in the general area of Elysian Fields to St. Bernard Avenue, and No. Galvez Street to North Broad. "Our membership will be divided into teams of five men each to knock on every door, assist in instructing all persons not registered how to properly complete the registration blank, and will drive them to the registration office without charge," he advised, while pointing out that advance material will be circulated in the selected area over the week end.

Beecher Memorial Congregational Church, 1914 No. Miro Street, will be used as temporary Frontiers Headquarters for the 7th Ward Registration activities. The block canvassing will begin at 6 p.m.

REPORT SHOWS LA. VOTE TOTAL PAST MILLION

The Times-Picayune New Orleans, La.
Wed. 10-28-59.

Rolls List 86.5 White and 13.5 Negro

By ROBERT WAGNER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La. — The state's total registered vote, increasing as the gubernatorial primary drew nigh, has gone beyond the one million mark, according to the state registration board.

As of Sept. 30, total registration was 1,016,890, comprising 86.5 per cent white, and 13.5 per cent Negro voters. Deadline for registration in all parishes will be Nov. 4, at the colse of business.

The first Democratic primary election, in which only registered Democrats may vote, will be held Dec. 5. Registration totals included 1,004,226 Democrats.

Registered Republicans numbered 8592, while those registered with various "other parties" were 4072. Republicans and others will be able to vote in the general election for governor.

TOTAL VOTE

The total registered vote at the time of the 1956 gubernatorial election was about 1,056,546, comprising 903,959 white, and 152,578 Negro voters.

Latest figures show 878,935 white, and 137,955 Negro voters.

Largest registered vote was in Orleans parish, where it numbered 197,208, comprising 165,276 white and 31,932 Negro. Jefferson parish, as runner-up, had a total 72,649, of which 65,296 was white and 7353 Negro.

East Baton Rouge parish had a total 65,707, comprising 56,435 white and 9272 Negro voters; Caddo had 58,018, of which 53,387 were white and 4631 Negroes, and Calcasieu, 44,894, comprising 38,251 white and 6643 Negro voters.

Registration figures showed a total 24,292 registered white illiterates, as compared with 13,911 registered Negro illiterates.

ILLITERATES REGISTERED

Largest numbers of illiterates were registered in St. Landry, Vermilion, Lafourche, Iberia, Evangeline and Acadia parishes.

Significant increases in the registered Negro vote were shown in both Winn and St. Landry parishes, despite voter purges that have been conducted in those areas. The Negro registration in St. Landry increased nearly 1000 in one month.

CADDO REGISTRAR WITHHOLDS RECORDS

First La. Civil Rights Meeting Held

(By the Times-Picayune)

SHREVEPORT, La. — U. Charles Mitchell, Caddo parish registrar of voters, refused Thursday to allow a staff member of the US civil rights commission to inspect parish voter registration records.

In refusing, Mitchell acted upon advice of Louisiana Atty. Gen. Jack P. F. Gremillion.

The request to examine Caddo voting records was made by Col. A. H. Rosenfeld, New Jersey attorney who is director of the office of complaints, information and survey for the civil rights commission. The request was made during a meeting held in the Caddo parish courthouse.

It was the first public civil rights meeting on voter registration procedure in Louisiana.

RECORDS REFUSED

At the close of its meeting Rosenfeld asked Mitchell if he could inspect the records.

"Just a minute," interposed Gremillion. "I would like to ask you, Col. Rosenfeld, if you are a registered voter of this parish?"

"I am not," was the answer.

"Then do you have a petition signed by 25 registered voters of this parish requesting that you be allowed to see the records?" Gremillion asked. Rosenfeld answered that he did not.

"Then I am going to advise Mr. Mitchell not to allow you to see the voting records," Gremillion said. He explained that under Louisiana law any registered voter may inspect the records or any person who has a petition signed by 25 registered voters may inspect them.

Rosenfeld made no comment following Mitchell's refusal. Before the meeting he told a reporter the purpose of his visit was to report back to the commission on what he learned here. The commission has authority to ask the federal courts to subpoena records as it did recently in Alabama.

COMPLAINTS CITED

Rosenfeld opened Thursday's meeting by saying the civil rights commission had received signed complaints from Caddo parish alleging that certain voters were denied the right to register and to vote on account of race or color. He said it was a policy of the committee to look into every such complaint and said survey teams from the commission had already been in Caddo.

He told the meeting he did not have the Caddo complaints with him and he did not know the names of the complainers.

"We have received several statements alleging denial of right to vote from this and other parishes," Rosenfeld said.

Gremillion, who is by law attorney for parish registrars in such cases, told Rosenfeld that "Louisiana has nothing to hide."

In answer to a question by William Shaw, assistant attorney general and special counsel for the joint legislative committee on segregation, Rosenfeld said he was here to get information about procedures and not investigate any specific case. The point Shaw said he was trying to bring out was that if specific cases were to be probed the registrar had a right to know who his accusers were.

Old Louisiana Statute May Cut Negro Voters

BATON ROUGE, La. (AP)—A pro-segregation campaign is aimed at rigid enforcement of 60-year-old Louisiana voter registration laws to reduce the number of Negro voters in the state to about 13,000.

The move, headed by state Sen. W. M. Rainach, has been kicked off by a series of meetings with voter registrars.

MORE REGISTERED

About 130,000 Negroes are registered to vote in the state where more than 800,000 voters are on the records. The Negro voter registration makes up about 14 per cent of the total.

Rainach and staff members of his legislative "watch dog" Committee on Segregation told the registrars there is nothing to fear from the U.S. Civil Rights Commission if the registration laws are enforced impartially.

Some white voters may be eliminated from the rolls, he said, but many would-be Negro voters will be cut out for each white person affected.

INTELLIGENCE TESTS

Tests based on intelligence, not education, are the weapons to be used in the drive.

Rainach said intelligence is something bred into people through long generations, so the registrars don't have to discriminate against Negroes. He said nature already has discriminated against them and they can't pass the tests.

The registration laws, dating back to the 1898 Constitution, work against Negro registration in two ways.

USE LONG FORM

They require that a long application form must be filled out in the applicant's own hand without aid or referring to notes.

They also require that the applicant must demonstrate his intelligence by reading and giving a reasonable interpretation of any portion of the Constitution of Louisiana or the United States selected by the registrars.

Rainach said the application form is a test that must be passed. Any mistake, he said, subjects the applicant to disqualification or later challenging by the registrar or any two qualified voters.

A disqualified voter may register later by filling out the form correctly. Negroes also counter disqualifications by operating schools to instruct would-be voters in filling out the applications.

Louisianan Plans Purge Of Vote Lists

NEW ORLEANS, Feb. 13 (AP)—State Sen. W. M. Rainach says a drastic number of registered Negro voters will be stricken from the rolls within the next two years.

The joint Legislative Committee on Segregation, headed by Rainach, yesterday completed a statewide tour. This was Rainach's conclusion:

By strict adherence to the registration laws of Louisiana, the 130,000 Negroes now registered to vote throughout the state should be cut to 13,000; the 30,000 registration in New Orleans should be cut to 3000.

Under the law, Rainach said, voters can be asked to interpret reasonably, short sections of the State and Federal Constitutions. Many Negroes, he said, would be unable to meet that requirement.

Louisiana Cooperation Offer To Rights Group Has Catch

MINDEN, La. (AP) — Atty. Gen. Jack Gremillion promised the full cooperation of his office to a Civil Rights Commission representative in his probe of alleged voter registration violations, but Gremillion had a catch to his offer.

Gremillion told Col A. H. Rosenfeld the complete services and cooperation of the attorney general's office were available if Rosenfeld would submit the names of those who filed the complaints and copies of the complaints.

Rosenfeld said he would relay Gremillion's request on to the commission, contending he had no such authority to release the names at the present time.

Rosenfeld said the number of sworn complaints of voter and registration violations in Louisiana totaled 68, some of them accompanied by affidavits of six or seven pages.

Gremillion earlier told Mrs. Winnie Herbert, registrar of voters for Webster Parish (county), not to turn over the records of her office to Rosenfeld.

Louisiana law requires that only a registered voter can see the voter records unless a non-voter has a petition signed by 25 registered voters giving him such authorization.

Gremillion said Louisiana has nothing to fear from the commission's investigation, but the state wants to be advised of the complaints filed.

Earlier, Gremillion advised registrar U. Charles Mitchell of Caddo Parish not to make his records available to Rosenfeld.

Rosenfeld asked to see the records, contending the commission received complaints charging persons had been denied the right to register or vote because of race, creed or color.

Registrars Ignore Rights Questions

Some Queries Ridiculous, Louisiana Official Says

BATON ROUGE, La., May 28. — (UPI) — Louisiana Atty. Gen. Jack Gremillion announced Thursday that registrars of voters in 19 parishes have refused to answer a series of questions submitted by the Civil Rights Commission.

The Civil Rights Commission ordered the registrars to answer the questions under oath and return them within two weeks. They received the questions May 20.

"Some of the questions in this booklet are ridiculous," Gremillion said. "They would require a psychologist or a sociologist months to answer."

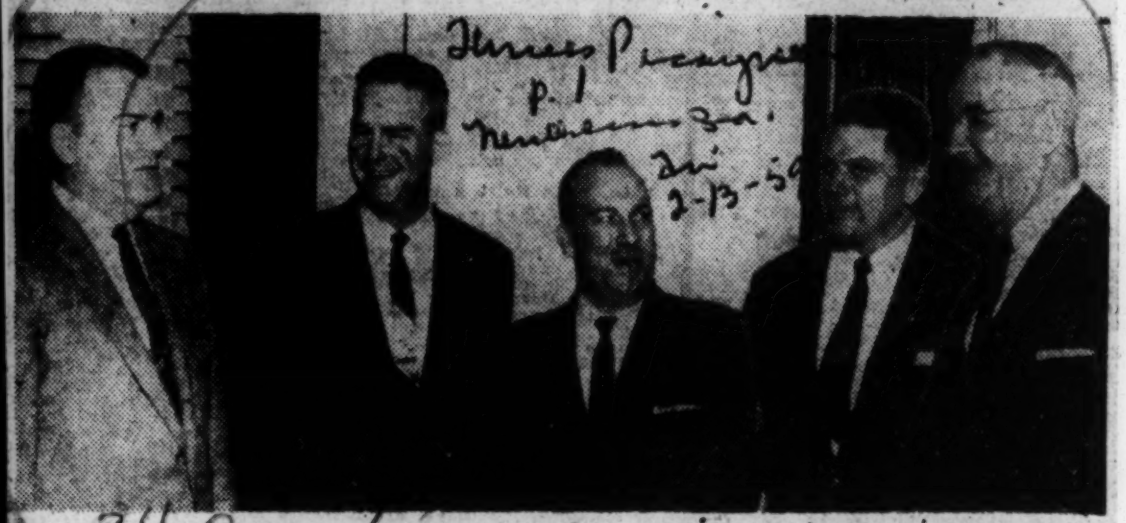
Mr. Gremillion released the civil rights question booklet and his reply to Gordon Tiffany, director of the Commission on Civil Rights, to the press.

"I was instructed by all the registrars to advise you that they would not answer these questions," Mr. Gremillion's reply said, "for the principal reason that a great number of them are wholly unrelated to the functions of their offices."

Mr. Gremillion's letter to the Civil Rights Commission director quoted a Washington news dispatch which said the commission has withheld a decision to hold an investigation "of 95 complaints from Louisianans who claim interference with their voting rights until the commission's next meeting in Los Angeles in mid-June."

Mr. Gremillion said a letter from Mr. Tiffany had inferred earlier that "if I would co-operate fully to see that you received the information requested," a full-scale hearing may be avoided.

Segregation Leaders, Orleans Registrar Confer



—Photo by The Times-Picayune.

AT THE CIVIL COURTS BUILDING Thursday, state segregation leaders conferred with registrars of voters on the manner in which inquiries by federal civil rights investigators should be received. Pictured at the meeting are (from left) Rep. John S. Garrett of Claiborne parish; William M. Shaw, chief counsel of the joint legislative committee on segregation; Louisiana attorney general Jack P. F. Gremillion; Sen. William M. Rainach, chairman of the joint committee, and Louis Knop Jr., Orleans parish registrar of voters.

Vote 'Purge' Threat Sets Off 'Action'

By Raymond F. Tisby

SHREVEPORT, LA. — From all parts of the city and parish they came, old men, young men, old women, young women, ranging in age from 21 to 72, some 250 strong last Thursday in response to the "R-Day" call of the City-Wide Voter Registration Drive - proves postively that Negroes are "more interested in efforts to become first class citizens than ever before." In the words of Dr. C. O. Simpkins, president of the United Christian Movement, sponsor of the voter drive, the mass registration effort is a "big success."

Dr. Simpkins and other voter drive leaders termed the effort a "success" despite alleged delaying tactics which held registration to a minimum and were high in their praise of the vote conscious group for remaining thruout the day and their willingness to return after being turned down.

Despite (or because of) publicity by the local daily press of the quietly promoted "R-Day" effort, some 250 Negroes, from all walks of life, filled the corridors of the Caddo Parish Courthouse in an effort to become registered voters and remained throughout the day in spite of the snail's pace in which applicants were admitted to the registration office.

Because of the fact that only two persons were allowed in the registration office at one time and because of the average 40 minutes required by an applicant to fill out the registration forms - a procedure that normally takes less than five minutes, only 42 persons gained admission into the registrar's office with 18 being accepted and 26 being turned down.

However, thanks to the presence of a number of voter drive officials who were on hand to monitor the orderly crowd, the reasons for applicants being turned down were rechecked and 22 were successful in registering the next day (Friday) to boost the two-day total to 40 and scores of others were registered before the registration books closed prior to a special election in April.

The mass registration effort (which came shortly after a visit by U. S. Civil Rights Commission agent Col. A. H. Rosenfield with the parish registrar over voter complaints by 69 Negroes in North Louisiana and in the midst of a Negro voter purge directed by State Sen. Willie Rainach, the top segregationist in the state and director of the Louisiana White Citizens Councils who charges that 100,000 of the 130,000 Negro voters in the

REGISTER DRIVE OFFICE OPENED

Assistance to Prospective Voters Readied

The New Orleans registration drive committee Monday opened an office in City Hall to provide information and assistance to persons desiring to register to vote.

The office is in Room 1E05, across the conidor from the Orleans parish registrar of voters' office.

Peter N. Gagliano, who is in charge of the office, set up a large blackboard replica of the application for registration card form which must be filled out in the Orleans parish registrar of voters office by persons desiring to register. Gagliano hopes that prospective registrants will familiarize themselves with the form before attempting to register and making mistakes which might disqualify them.

Clyde F. Bel Sr., chairman of the committee and chairman of Mayor deLesseps S. Morrison's Crescent City Democratic Association, announced Monday that James E. Comiskey, chairman of the Regular Democratic Organization, has taken under consideration an invitation to become a member of the committee.

Besides the CCDA, the New Orleans Democratic Association, the Republican party and various civic groups are represented on the registration drive committee.

In a letter dated April 3, which Bel made public, Comiskey in reply to Bel's invitation to join the committee, wrote:

"I have called a meeting of our steering committee for Monday, April 6th, and likewise I have called a caucus meeting for Tuesday, April 7th at 8 p. m. to go into some other important matters other than the drive that you are presently undertaking for new registrants.

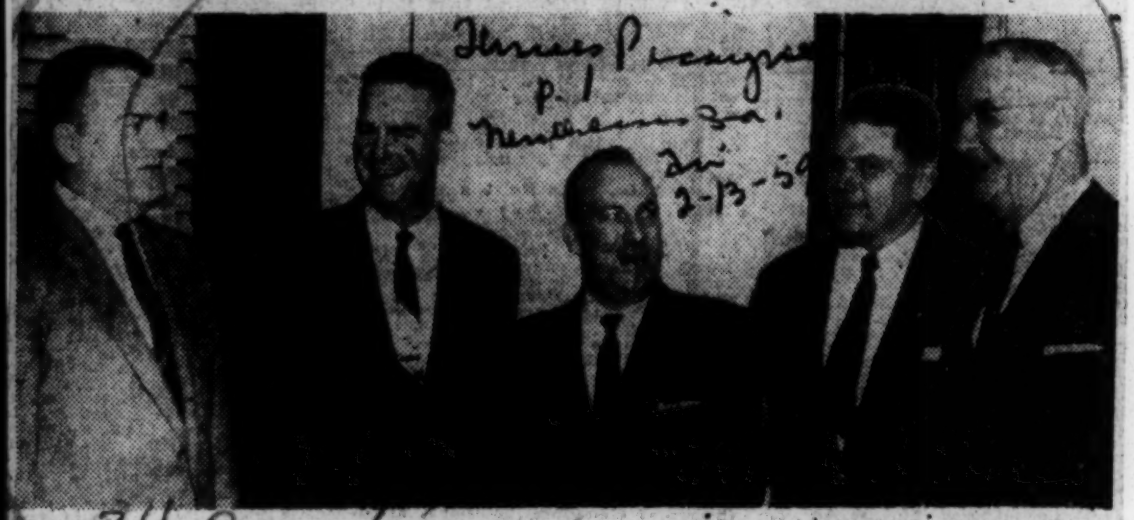
"I will bring this matter up to the attention of my group and will have a reply for you after our next week's meetings."

Bel also reported that Mayor Morrison had received a letter from Charles Pearson Jr., division commercial manager for Southern Bell Telephone and Telegraph Co., advising that the company has circularized its 4000 employes in New Orleans urging them to register and become eligible to vote if they are not registered.

—Photo by The Times-Picayune.

PETER N. GAGLIANO, in charge of the office in City Hall to provide assistance to persons desiring to register to vote, points to a blackboard replica of the registration application form. It shows the information needed by the prospective voter to register. The office was opened by the New Orleans registration drive committee.

Segregation Leaders, Orleans Registrar Confer



—Photo by The Times-Picayune.

AT THE CIVIL COURTS BUILDING Thursday, state segregation leaders conferred with registrars of voters on the manner in which inquiries by federal civil rights investigators should be received. Pictured at the meeting are (from left) Rep. John S. Garrett of Claiborne parish; William M. Shaw, chief counsel of the joint legislative committee on segregation; Louisiana attorney general Jack P. F. Gremillion; Sen. William M. Rainach, chairman of the joint committee, and Louis Knop Jr., Orleans parish registrar of voters.

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—Photo by The Times-Picayune.

College Gets $103,000 Ford Grant

Morgan Tackles Problem -How To Develop Voters

BALTIMORE, Md. — What makes people want to vote?

How can the ordinary citizen understand the real issues of today?

What can be done to combat voter apathy in the neighborhood?

In general, how can society develop voters who are thoughtful citizen-politicians?

FOUR YEARS hence, Morgan State college may have the answers to these questions as the result of an institute for political education which opened this week.

Financed by a $103,000 grant from the Ford foundation, the institute is, in effect, an "every man's course in practical politics" which aims to educate the entire college community to political awareness and political know-how.

Dr. G. James Fleming, professor of political science and institute director, explains the project's aims this way:

"THE INSTITUTE seeks to create on the Morgan campus awareness of the issues and problems of politics and public affairs, to develop students who know how to utilize politics and political techniques for the general public good, and to foster a sense of the importance of the average educated person in a democratic government."

If the institute achieves its aims, students and alumni, who also are to become involved in the project, will be stimulated to register and vote, will learn more about how government works at all levels, from precinct to the white house, will become informed on important citizen faces in his community in the exercise of his citizenship.

There'll be political campaigns, mock conventions, primaries, and elections.

Morgan's own student government elections will be the "peg upon whch we hope to hang general political awareness," Dr. Fleming says.

Though non-partisan in nature, the institute will work to activate on the campus Young Republican and Young Democratic clubs.

DR. G. JAMES FLEMING
Seeking Answers

current issues, and will learn how to stimulate similar awareness in others.

IN ADDITION to teaching "citizenship education," the institute will evaluate its findings and present a report to the foundation.

In the course of its existence, the institute also proposes to serve as an "information center on politics" and to develop a reference on colored persons active in political affairs.

Actually, the institute will function extra-curricularly along seminar lines, using as teaching aids informal lectures, bull sessions, discussion groups, field trips, films, poster displays, and voting machines.

PLANS CALL for the program's reproducing on the Morgan campus the major situations the ordinary

34e 1959

MARYLAND

High Of 103,503

4th District shows increase to 57.4%

BALTIMORE

Final registration figures released this week by the Supervisors of Elections showed a total of 103,503 colored registered voters in Baltimore City.

Of this number, 31,106 were listed as living in the Fourth District where they represent 57.4 per cent of the total voting strength in the district.

White registration figures for the district are 23,002 and the combined total is 54,108.

LAST YEAR for the November General Election there was a total of 100,211 colored registered voters in the city so that the new figures mean an additional 3,292 citizens became voters from Nov. 20 when the books opened to Jan. 21 when they closed.

During the period the registration figures for colored voters in the Fourth District increased from 54.5 per cent of the total to the present 57.4 per cent of the total.

There was a numerical gain of 2,971 colored voters in the Fourth and a decrease of 442 white voters.

The 103,503 colored voters now on the books are eligible to vote in the March 3 primary election to select candidates for City offices and the City Council.

The new registration figures show a total of 324,387 voters registered for a total city electorate of 427,890.

* * *

THE SECOND highest concentration of colored voters is in the Second District with 39 per cent of the total.

Other districts are the 6th with 26.2 per cent; 5th with 25.6 per cent; 3rd with 10.4 per cent; 1st with 6.4 per cent.

Citywide the percentage of colored voters to the total is 23.2 per cent as compared to 23.8 per cent last November.

A complete breakdown of the districts follows:

FEBRUARY, 1959

Dist.	Total	White	colored	Pct.
1	43,773	40,970	2 803	6.4
2	34,866	21,258	13,608	39
3	131,257	117,584	13,673	10.4
4	54,108	23,002	31,106	57.4
5	110,610	82,271	28,339	25.6
6	53,276	39,302	13,974	26.2
T	427,890	324,387	103,503	24.2

IN BALTIMORE

Total new voters 564

All-time high of 101,871 now registered in Baltimore

BALTIMORE—A total of 546 new voters registered to vote during the five-day period Jan. 19-23, according to figures released by the Supervisors of Election on Thursday.

This brings the total number of colored persons registered in Baltimore to an all-time high of 101,871.

Of the new voters who signed up that week, 463 registered as Democrat; 99 as Republican and two declined. For the same five-day period, 1,664 new white voters registered.

THE OPPORTUNITY to register to vote closed last Saturday for those who desired to qualify to vote in the March 3rd primary election.

However, books will reopen for registration again on March 14.

The office of the Supervisors of Elections at Fayette and Gay Sts., will open from 10 a.m. to 9 p.m. daily to register voters.

Also open from 10 a.m. to 9 p.m. to register new voters were mobile registration spots in eight schools listed below.

New voters were urged to register with either Democratic or Republican party so they can vote in the Primary. If they 'decline,' they will be unable to vote in the March 3rd Primary, only in the May 5th General Election.

Persons who have never voted in Maryland before, persons who will become 21 years of age before the May General Election were eligible to register.

* * *

PRINTED BELOW is a table showing the day-by-day registration for the period Jan. 19-23, the total number registered and how they registered:

1959 Date	Total	Colored Total	White	Col. GOP	Col. Dem.
1/19	517	151*	366	19	131
1/20	512	71	441	13	58
1/21	395	104	291	19	85
1/22	402	123	279	22	101
1/23	402	115*	287	26	88
Total	2228	564	1664	99	463

The * means total includes one voter who 'declined.'

Registered before Nov. 4, 1958 General Election	100,211
Registered as of Jan. 23, 1959	101,871

Howard is offering African languages

Howard University officials have announced that two African languages will be offered during the spring semester which begins Wednesday. The courses will be in Swahili and Yoruba.

Both will be taught by Dr. Mark Hanna Watkins, professor of anthropology, who has studied and traveled extensively in the sections of Africa where these languages are spoken.

The courses will yield four semester hours credit on either the undergraduate or graduate level. Classes are scheduled twice a week.

108 new voters register

2 persons 'decline' which means they can't vote in the Primaries

BALTIMORE

For the six - day period Dec. 15-20, a total of 108 colored persons registered to vote, according to figures released by the Supervisors of Elections. Sixty-three white persons registered.

This brings to 100,774 the total number of colored persons eligible to vote in the primary election on March 3, 1959. Still unregistered are 43,442 persons of voting age.

Of the 108 new voters who signed up this week, 83 registered as Democrats and 23 as Republican. Two voters registered as 'declined' which means they refused to affiliate with either party and can NOT vote in the March primary. They will not be eligible to exerise their voting right until the May 5th General Election.

PERSONS WHO are registering for the first time are urged to affiliate with one of the two parties so then can have a voice in all elections.

Voters who 'decline' can change their party affiliation if they do so before January 31, 1959.

Jan. 31, 1959 is also the deadline new voters may register in time to vote in the March 3rd primary election when candidates for mayor, city comptroller, and city council will be nominated.

The Supervisors of Elections office in the People's Court Building at Fayette and Gay Sts. is open daily from 9 a.m. to 4 p.m. and on Saturdays from 9 a.m. to noon to register new voters.

However, because of the Christmas holiday, the Supervisors of Elections office was closed on Christmas Day and on December 26 and 27.

For the period Nov. 20-29, the first time registration books were open after the November General Election, 219 colored voters signed up.

* * *

FOR THIS past week - December 15 - 20 here is how the 108 new colored voters registered:

12/15	37	23	14	7	16
12/16	18	11	7	1	10
12/17	26	14*	12	1	12
12/18	31	22	9	7	15
12/19	36	28*	15	7	20
12/20	16	10	6	0	10
TOTAL	164	108*	63	23	83

*Includes two persons who 'declined'

Registered before Nov. 4, 1958 General Election—100,211.

Total voters registered to Dec. 20. 1958—100.774.

104,588 Baltimoreans now qualified to cast ballots

A total of 104,588 colored persons are eligible to vote in the May 5 election for municipal offices, according to the latest figures released by the Supervisors of Elections.

This represents an increase of 1,085 new voters over the total of 103,503 reported on Jan. 31 when the registration books were closed prior to the primary election.

The 1,085 new voters all signed up in an eight-day period from March 14 - 23 at the main office of the Supervisors of Elections and at the various mobile registration points set up about the city.

THE REGISTRATION books are now closed until after the May 5 election so that those who have not registered as yet, will not be able to vote in this election.

All persons, regardless of whether they are listed as Democrats, Republicans, or have declined to affiliate with either party, may vote in the May election.

The new figures for colored voters mean that the number of eligible citizens still unregistered has been reduced to 39,734 from the 40,829 figure reported on Jan. 31.

During this latest registration period a total of 1,980 white voters were added to the rolls making this figure 326,372.

The total registration figure in the city now stands at 430,960.

THE BIGGEST single day for registrations came on March 23 when 273 colored citizens put their names on the book.

Printed below is a chart showing the day by day registration for March 14 - 23 giving the total number registered and how they registered.

1959 Date	Total	Colored	White	Col. GOP	Col. Dem.
3/14	516	125	391	38	87
3/15	372*	126*	246	33	92
3/17	347	130	217	28	102
3/18	471	155*	316	36	118
3/19	331	100*	231	17	81
3/20	273	72	201	16	56
3/21	207	104	103	17	87
3/23	554	273*	281	59	212
Tot'l	3,071	1,085	1,980	244	835

* Declined: 1, 1, 2, 2. A total of 6.

Registered as of Feb. 1, 1959, 103,382

Registered to vote in May 5 election, 104,588

Commissioner asks for complete report

(EDITOR'S NOTE — The following story was written by AFRO photographer I. Henry Phillips. The incident has been reported to Police Commissioner James K. Hepbron who has turned it over to Chief Inspector Oscar Lusby. Inspector Lusby said that he in turn handed it over to Inspector Frank Deems for an investigation. He promised that a report would be issued shortly. Meanwhile, Mr. Phillips has become ill and has been confined to bed.)

By I. HENRY PHILLIPS

BALTIMORE

I was arrested on Tuesday afternoon while I was trying to take a news photograph at a polling place.

I've been a news photographer for 13 years and this was the first time a policeman has arrested me, grabbed me by my belt and marched me to a police station.

Acting on orders from the AFRO City Desk I had spent most of Tuesday morning and the early afternoon getting pictures at polling places. I had visited half a dozen places and had been treated okay at all of them.

Finally I reached the Harriet Beecher Stowe Elementary School No. 118, Argyle Ave. near Lanvale St.

* * *

I ASKED the officer on duty where was the polling place, upstairs or downstairs, and he pointed to my camera and told me I couldn't take it inside.

"I am going to take a picture of someone voting," I told him.

"You can't take pictures in here," he said.

"I don't understand this because I have been to other polling places getting pictures and I don't see why I can't get a picture here," I told the officer.

He still insisted that I wasn't going to get a picture so I sat my camera on the ground. As I was taking my wallet out to get my press card he shook his head and said:

"I don't want to see it because you are not going to take any pictures," the officer said.

* * *

I ASKED for his name and he told me Henry Wilson. I had already written down his badge number (2259).

"Take that thing (my camera) and get up the street," he said pointing his stick.

"You certainly are embarrassing me, a newspaperman, in front of this school with all those children and teachers in the yard," I said.

He said if I didn't get up the street he was going to arrest me. I said I wasn't going anywhere because I'm going to take a picture of someone voting and if you don't let me go in the school I am going to take someone going in or coming out.

He told me he was going to arrest me and I tried to explain that you can't arrest a newspaperman for taking a picture of someone on the street.

As he walked toward me I turned my back to him. This is when he took hold of me by the pants at my waist and said:

"I'm going to take you in."

"You're certainly embarrassing me taking me down the street holding me like this with all of the people watching," I told him.

* * *

WHEN WE reached Pennsylvania Ave. I said to him: "This is the most embarrassing thing I have experienced in my life."

As I walked into the station with my equipment everybody looked at me. One of the officers asked what I had done.

"Nothing but try to carry out my job taking pictures at the polling place," I said.

Captain Wade Poole, commander at the station, came out and asked what was the trouble and I told him.

"Come into my office and see if we can straighten this out," he said.

* * *

INSIDE THE office I explained to Captain Poole what had happened. The captain said to the officer:

"He can take pictures in the polling places, he's a newspaperman — I have seen him around for a long time."

The captain said, there's nothing wrong with taking pictures at the polls — the officer must have gotten this mixed up with the last general election.

In the meantime the Captain and arresting officer were talking about the picture difficulties in the last election. After talking, the officer said, he was willing to forget the whole thing and I said:

"Not after the way you embarrassed me at the school and by bringing me down here to be arrested by leading me through the street holding on to my pants like I was a criminal or something."

IN THE meantime, the assistant to the president of the AFRO-AMERICAN. Mrs. B. M. Phillips, called and Captain Poole answered the phone and said the call was for me.

Mrs. Phillips asked me what was wrong and I told her everything was all right — I was leaving in a minute.

After leaving the station, going back to School No. 118, I met my city editor, Mr. Moses Newson, and he said he thought I was in jail and that he came out to find out what the trouble was.

I told him everything was all right and he rode me back to the school and we got the picture at the polls that I was assigned to do in the first place.

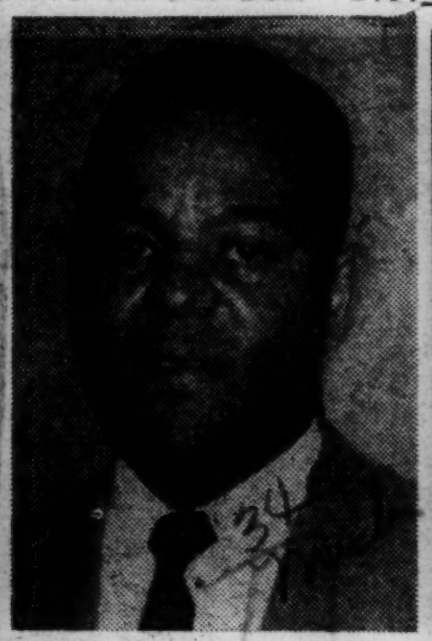
I. HENRY PHILLIPS
'You don't understand what you are saying . . .'

* * *

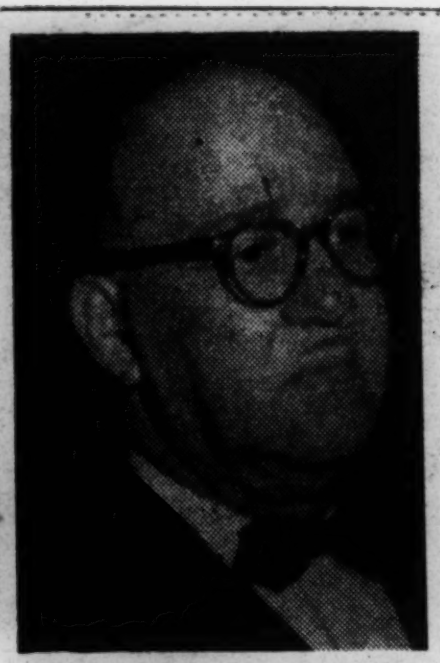
The Baltimore branch of the National Association for the Advancement of Colored People has sent the following telegram to Commissioner Hepbron.

"Baltimore has too many fine policemen to allow on the police force the type of man as Officer Wilson. The Baltimore branch of the NAACP respectfully calls for his removal.

Dr. Lillie M. Jackson
President



JUDGE W. H. McCREE
. . . still a top vote-getter



DR. DEWITT T. BURTON
. . . new WSU Governor

JUDGE E. L. DAVENPORT
. . . almost led the ticket

Two Jurists Keep Benches

Negroes Top Mich. Votes

DETROIT—Three Negroes in Detroit and Wayne County and one in Kent County won important races in spring election balloting.

Leading their respective court racks during the early and midway balloting were Recorder's Judge Elvin L. Davenport, 59, and Wayne County Circuit Judge Wade H. McCree Jr., 37, one of the youngest judges on the Wayne Circuit bench.

Dr. DeWitt T. Burton, 66, a Democratic owner of Burton Mercy Hospital, was elected to a two year term on the first Wayne State University Board of Governors, the only Negro to win election to the six-man board.

ALBERT B. CHENNAULT, a Negro businessman, running on the Republican ticket for the four-year term on the WSU Board of Governors, was nosed out of the race by two others.

Both Burton and Chennault made history of a sort when they were nominated by their respective state conventions for positions on the state ticket this year. It marked the first time either major party had named a Negro to a position on the state ticket.

Davenport, a tremendous vote-getter, was nip-and-tuck with Frank G. Schmanske (white), who traditionally leads the Recorder's Court race, before bowing in the late returns, to wind up a tight second in the almost complete balloting to Schemanske, 160,596 to 158,850. The seven other winners in the Recorder's race trailed further behind.

■

McCREE LED Wayne County Circuit Judges (18 elected) by substantial margins until the late and final returns, and wound up sixth in the race with a 198,156 votes, with 1,875 out of 1,891 precincts counted. Leading the ticket carries with it a tremendous amount of prestige.

Burton easily won his race by compiling 546,135 votes to lead in the voting for the two-year WSU Board of Governors' elections.

Up in Grand Rapids, voters elected John T. Letts, 47, a former assistant Kent County Prosecutor since 1955, to a position as municipal judge. It marked the first time in history a Negro was elected to the Grand Rapids bench.

Both Davenport and McCree will serve six-year terms at $24,500 per year. Burton's post is non-paying.

—more for your money in The Courier—

FINANCIAL ILLS TOP MICHIGAN VOTING ISSUES

State-Wide Balloting Set for Monday

Lansing, Michigan, April 4 (AP)—Michigan's financial crisis will overshadow other issues Monday in the nation's first state-wide general election of 1959.

Democratic and Republican leaders have pitched the respective campaigns to an appeal for "protest" votes.

Each party has urged voters to find the other at fault for a state general fund deficit ballooning toward 110 million dollars by June 30, and for new taxes in prospect to straighten out state finances.

G. O. P. Has Majority

Republicans control both branches of the legislature, which is at loggerheads with Democratic Gov. G. Mennen Williams over a solution for state money ills.

Robert M. Montgomery, state elections director, has predicted a turnout of 1,250,000, or about a third of the state's registered voters. In the last comparable election in April, 1957, 1,124,000 ballots were cast. Democrats swept all offices then at stake.

Voters Monday will fill 12 state-wide education offices of which all but one are part time, unsalaried posts on various boards. The exception is the office of state superintendent of public instruction, which pays $17,500 a year.

In nonpartisan balloting, two 8 year terms on the state Supreme court are at issue. Three constitutional questions will be decided, all of them minor.

Author Seeks Reëlection

In one of the Supreme court contests, Justice John D. Voelker, a nationally known author, seeks reëlection. Voelker wrote the best-seller novel, "Anatomy of a Murder," under the pen name, Robert Traver.

Another Supreme court candidate is Justice George O. Edwards, widely regarded as a successor to Williams if the governor steps down after completing his sixth term next year.

Paired against Voelker and Edwards, both nominated by Democrats, are Republicans Maurice F. Cole and William H. Baldwin, attorneys in Oakland county suburbs of Detroit.

Tho judicial voting in Michigan is nonpartisan the constitution provides for nominations for the Supreme court by political party convention.

Patterson Predicts Mass Registration Try By Negro Voters

BILOXI, Miss., April 10 (UPI)—Gov. John Patterson today predicted an all-out attack on segregated schools in Alabama within the next few months.

Patterson told the annual convention of the Alabama Textile Manufacturers' Assn., "it now seems likely that an all-out attempt to force school integration in Alabama will be launched within a few months."

Patterson warned, "Civil righters will no longer try to use the courts to push integration.

"They will turn to mass registration of Negroes to vote us out.

"They will try to gain control of the ballot box," he declared, and called for a "united front" of the white bloc vote to defeat them.

Patterson also levelled a blast at the Federal government. He charged the Civil Rights Commission was created by the government only to try to defeat the South on the segregation issue in the ballot box.

Then the governor advised the 300 textile industry delegates that the "education crisis is one of the most serious problems facing my administration."

He said "our education system is under attack, not just by integrationists, but also by a serious lack of funds.

"Everybody agrees we need funds," he added, "but disagrees on how to obtain the revenue for the schools."

He said the proposed equalization program for property taxes would bring in an estimated $40 million a year available for state, county and local use and a large share would go for education, but the proposal is under attack.

Patterson warned, "It's going to cost us something."

He concluded with a forecast of a bright economic future for Alabama this year and predicted the state's population would double in the next 20 years, opening up new fields of opportunity.

The two-day textile industry convention closed at noon, with an address from Dr. George D. Heaton, Mathews, N. C., on the subject "competing for the minds of men."

Patterson left by plane immediately after his address for Montgomery. He will fly from the Alabama capital tomorrow to Ft. Campbell, Ky., to review the 101st Airborne Infantry Division, at the invitation of Tennessee Gov. Buford Ellington.

Patterson will return to Montgomery again tomorrow afternoon to address the Alabama Credit League.

MISS. VOTERS TURN OUT TODAY

Gubernatorial Race Holds Greatest Interest

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — Mississippians go to the polls Tuesday in a Democratic primary to choose officials from governor down to constable. A record-breaking 450,000 vote turnout is predicted.

Taking top billing is the gubernatorial race, with three major candidates seeking to be Gov. J. P. Coleman's successor. Coleman is barred by the constitution from seeking re-election.

Ross Barnett, 61-year-old Jackson attorney making his third try for the office; Carroll Gartin, 47, Laurel, lieutenant governor of the state the past eight years and Charles L. Sullivan, 34-year-old Clarksdale district attorney, are the front runners for the governor's office.

A fourth candidate is Robert F. Mason, a Magee welder, who has put on only a token campaign. The field of four is one of the smallest in years in Mississippi.

Counting of returns is expected to be slow because Mississippi still uses paper ballots although counties and cities have authority to buy or lease voting machines. Only Adams county has adopted voting machines.

VOTING HOURS

Polls open at 7 a. m. in larger voting precincts, and 8 a. m. in other precincts. All voting ends at 6 p. m.

As usual in Mississippi quadrennial primaries, interest is stimulated locally by races for sheriff and county supervisor. Many counties have as many as 12 running for sheriff.

The support of outgoing Gov. Coleman in the gubernatorial campaign was thrown to Gartin. Also backing the lieutenant governor is former Gov. Hugh White, 77-year-old "elder statesman" of Mississippi.

Coleman is runing for office Tuesday himself. He is seeking the House of Representatives seat from Choctaw county, with two opponents against him. Because of his own race, Coleman has not openly campaigned for Gartin.

The Tuesday vote is expected to exceed the previous record high of 436,00 votes cast in the gubernatorial first primary in 1955. In that race, Coleman produced a political upset by edging into the runoff against Paul B. Johnson, and then went on to win the runoff by 47,000 votes.

Secretary of state Heber Ladner disclosed Saturday a compilation which showed that Mississippi has a total of 529,262 voters qualified to take part in Tuesday's primary election.

COUNTIES INCREASE

Biggest increases in qualified voters has been registered in Hinds, Harrison and Jackson counties, which are up about 18,000 over 1955.

Repeal of the absentee voter law in 1956 is expected to wipe out some 15,000 absentee votes which have been cast heretofore. Only military personnel on out-of-state duty and transportation workers on interstate runs may cast absentee votes.

Barnett had been a major contender in 1951 and 1955, but failed to make the runoff either time. He finished third in 1951 in a field of six and fourth in 1955 in a field of five.

He has come out this time as a strong anti-Coleman candidate, charging that Coleman is seeking to establish a political dictatorship in Mississippi.

Gartin, with eight years experience in state government, has campaigned mostly on his record of experience, and has refused charges that he would be dominated by Coleman if he becomes governor.

STRONG DARKHORSE

Jumping into the gubernatorial race on April 12 as an unknown in statewide politics, Sullivan has emerged as one of the strongest darkhorses in gubernatorial election history.

Sullivan tossed in a four-plank platform which included local option legalization of liquor and legislative reapportionment, two issues which have been traditionally considered as politically unpopular.

His liquor plank brought out the first major debate on Mississippi's 50-year-old prohibition law in the memory of political observers.

Against Sullivan's argument that Mississippi should either "stamp out or legalize" liquor, Gartin and Barnett have both advocated keeping prohibition intact.

The reapportionment issue aroused new interest in a subject which was brought into focus two years ago when Gov. Coleman made an unsuccessful drive for a constitutional convention.

SUPPORTED CONVENTION

Gartin, who had supported the constitutional convention, said he had done so primarily to bring about a fair reapportionment of the Legislature.

But Sullivan charged that Gartin would not have come out on reapportionment if he had not raised the issue in the campaign.

Other battles of the campaign have been over loyalty to the Democratic party, the action of the committee on political education of the AFL-CIO in "recommending" Gartin's candidacy, income tax cuts to encourage industry to locate in Mississippi, and segregation.

The segregation debates have been more on the lines of who is the strongest for segregation, and who can do the best job of maintaining segregation.

Barnett has sought to paint Coleman as a "moderate" on segregation and tried to link Gartin with Coleman's thinking.

Gartin, in turn, has pointed to his record as a "successful segregationist" and shown that Mississippi is the only state to avoid integration.

Sullivan has said that Mississippi's troubles on the segregation front stem from the leadership in the national Democratic party which he said has made racial integration a political issue.

SEVEN OFFICES

Heading up the list of races for seven other state offices which will be before voters Tuesday is a four-way contest for lieutenant governor.

Seeking the lieutenant governor's office are: Henry Bucklew, Baptist minister from Laurel who operates a boys home; Dist. Atty. Armis Hawkins, Houston; Paul B. Johnson, Hattiesburg, three times runnerup for governor; and state Rep. Brown Williams, Philadelphia.

Supt. of education J. M. "Jack" Tubb is opposed for re-election by G. L. Tutor, superintendent of schools at Magee, and former superintendent at Washington, Adams county. Tubb has held the education post since 1944.

Commissioner of agriculture S. E. "Si" Corley, seeking his sixth term, is opposed by Dr. J. V. Duckworth, Meridian, sheriff of Lauderdale county, and a veterinarian.

State insurance commissioner Walter Dell Davis, seeking a third term, is opposed by Henry L. Backstrom, New Augusta insurance man, William P. "Bill" Davis, Collins funeral home operator, and Clarence Holland, Jackson, former employe of the state fire marshal's office.

Jury Ruling Stuns State

By UNITED PRESS INTERNATIONAL

Mississippi's attorney general said today he doesn't know how Mississippi courts will try future cases involving Negroes.

Atty. Gen. Joe Patterson said following a ruling by the 5th Circuit Court of Appeals in New Orleans that alleged systematic exclusion from juries in Mississipp was unconstitutional:

"It leaves me at a loss to know just how trial courts in Mississippi are going to proceed under similar circumstances."

The ruling came in the case of Negro Robert Lee Goldsby, of St. Louis, who was convicted of the night club parking lot shooting of Mrs. Moselle McCorkle Nelms, a white woman, [illegible] Meridian on Sept. 14, 1954.

Patterson pointed out a juror in this state must be a qualified elector (a registered voter who has paid his poll taxes two years in a row) and there are few or no Negroes who are qualified electors in most Mississippi counties. There were none in Carroll County when Goldsby was tried there.

Patterson said that at the district court trial overturned by the ruling, Negro witnesses called by Goldsby all said they were not qualified voters, had never even tried to register to vote, and were neither intimidated nor prevented from registering.

He asked if the ruling meant "it is incumbent upon the clerk to go out and attempt to compel some Negroes to register when none have tried to do so?"

Patterson, who said he wants to study the ruling before deciding whether to take the case to the U. S. Supreme Court, expressed belief it will be difficult to take steps to start a retrial in the eight months the ruling gave Mississippi to do so.

Rev. Darby Loses His Chance To Appeal

The Rev. H. B. Darby has lost his last chance to appeal the decision of a three judge federal court in his NAACP sponsored test of Mississippi voting laws.

Time allowed for an appeal ran out this week and records at the U. S. District Court here showed no appeal had been filed.

Darby, a resident of Prentiss, claimed in a lawsuit heard by three federal judges here last summer that he was denied the right to vote solely because he is a Negro. He also sought to prove Mississippi's voting laws unconstitutional.

Jeff Davis County Circuit Clerk James Daniel and state Atty. Gen. Joe T. Patterson were co-defendants in the suit.

A three judge court composed of U. S. District Judges Sidney Mize of Gulfport, Claude Clayton of Tupelo and Court of Appeals Judge Ben Cameron of Meridian denied Darby's request.

Their decision was rendered Nov. 6 and Darby had 60 days to file an appeal. NAACP attorneys had said earlier they probably would not appeal.

Fight Is Planned On Court Ruling

Prosecutors May Have To Urge Negroes To Vote; MISSISSIPPI IS UPSET

By JOHN HERBERS
United Press International Staff

JACKSON, Miss., Feb. 28.—The State of Mississippi is making a supreme effort to overturn a Federal Court decision that would have white prosecutors out soliciting Negroes to qualify to vote.

The decision, by three members of the Fifth Circuit Court of Appeals, sets a new and far-reaching precedent on jury selection and indirectly attacks voter registration procedures in Mississippi and many other states.

The State filed this week for a rehearing before the full appeals court in New Orleans. If denied, the decision will be appealed to the United States Supreme Court.

Robert Lee Goldsby, a St. Louis Negro, was sentenced to die in Carroll County in 1954 for the murder of a white woman. After several unsuccessful appeals, the three judges in New Orleans ruled that Goldsby was not convicted properly because no Negroes had been called for jury service in Carroll County.

Several Cases Reversed

A number of cases have been reversed for this reason, for one, the Willie Magee rape case of Laurel which had to be tried a second time. But this case was different because there had never been a Negro qualified for jury service in Carroll County.

The court said it could not believe that in a county with more than 50 per cent Negroes there was not one qualified to serve on a jury, unless they were systematically kept off.

In Mississippi those qualified for jury service must be qualified voters. They must have passed the state's education requirements, be registered and have their poll taxes paid up to date.

But in the judicial district of Carroll County, where Goldsby was tried, no Negro is registered as a voter and therefore none is called to jury service. According to best estimates, that is the case in at least 20 other Mississippi counties, many of them with heavy Negro populations.

Specifies Trial Site

The law says that a person must be tried in the county where the crime occurred unless a change in venue is granted the defense. The state cannot obtain a change of venue.

Heretofore the courts have required Negro jury duty only if there were Negroes qualified to serve. Under the new ruling the presence of Negroes in the county would be sufficient to require that members of the Negro race—or any other minority—be called for jury duty.

Actually, very few Negroes have served on juries anywhere in Mississippi. The courts have required only that they be called for duty, not that they actually serve. The judge and attorneys for both sides can eliminate prospective jurors for various reasons.

Because of the far-reaching implications of the new ruling, Atty. Gen. Joe Patterson has mailed copies to all prosecutors in the state and his office has spent a great deal of time preparing a petition for rehearing.

Injustices Seen

The petition filed this week said the decision "if allowed to stand will cast upon the State of Mississippi an unjust burden which will be impossible of fulfillment, and may likewise result in injustices in other states."

Attorneys said the state, before it could retry Goldsby, would have to go out and get Negroes to register and vote. This would apply in cases coming up involving Negro defendants in all of the other counties not having Negro voters.

The state's voter registration procedures and educational qualifications have stood up under court review on a number of instances. The Federal Court decision is considered an indirect attack, though a serious one, on that system.

Appeal Period Ends On Vote Law Ruling

NAACP Says Case Submitted To Civil Rights Board

JACKSON, Miss., Jan. 7.—(UPI)—The deadline has passed for appeal of an NAACP-sponsored lawsuit challenging Mississippi's voter registration procedures.

A three-judge Federal panel here upheld the constitutionality of a new provision in the state Constitution that increased educational requirements.

The NAACP told United Press International several weeks ago the case would not be appealed but testimony would be forwarded to the Civil Rights Commission in Washington.

The decision was rendered Nov. 6 and the NAACP had 60 days to appeal.

R. Jess Brown, an attorney for the plaintiff, the Rev. H. D. Darby of Prentiss, said Wednesday the case had been submitted to the commission in Washington but it was not known whether the commission would hold hearings in Mississippi.

The suit charged that Negroes in Jefferson Davis County, and elsewhere in Mississippi, are systematically barred from registering to vote because of their race.

REGISTRATION REFUSED, CLAIM

Mississippi Negroes Tell of Alleged Failure

By GORDON BROWN

WASHINGTON (AP) — Three Mississippi Negroes Friday told a House Judiciary subcommittee of the inability of Negroes in that state to register as voters.

The Rev. and Mrs. J. M. Barnes of Hattiesburg, said they had tried to register about four times a year since 1952 but never have been successful.

C. R. Darden, Meridian, Mississippi president of the National Assn. for the Advancement of Colored People, said that last Wednesday a bullet was fired into the house of Albert Jones, Negro, Meridian. Darden said Jones has ben active in registering and voting.

The Mississippians testified after Alabama's attorney general, MacDonald Gallion, and his chief assistant opposed civil rights bills being considered by the committee.

AGAINST INTEGRATION

Gallion said Alabamans have demonstrated time after time that they will not have school integration "forced down their throats." Federal legislation, he said, increases racial tension.

"If ever we neded a harmonious relationship of all the races, it is at the present time," Gallion said.

In response to questions Gallion discussed Alabama's laws relating to preserving voter registration records, he said that the only records which could be destroyed within 30 days were applications of would be voters who were not registered and who failed to file an appeal with the circuit court. He said he believed it would be to the state's advantage to have these records preserved.

SAYS 70,000 REGISTERED

Gallion said about 70,000 Alabama Negroes are registered voters and that this represents a large increase in recent years.

"We have done so in the past and it is our intention to do so in the future," he said.

Clarence Mitchell, Washington official of the NAACP, challenged some of Gallion's statements. He contended the purpose of a new Alabama law covering registration records "is to destroy evidence before the federal government gets into a case."

Barnes told the committee that he sought to register as a voter last year after a new clerk was elected and was told to come back later. He tried last March 7 and was told by a deputy clerk he would have to see the clerk.

ASKED IF IN NAACP

He said last October he and Clyde Kennard tried to register and were asked if they belonged to the NAACP.

"I asked the clerk if he had any reason for refusing to let us register," Barnes said, "he said

VOTER REGISTRATION BOOKS BEING CARRIED OVER HINDS

Circuit Clerk H. T. Ashford, Jr., will take his registration books and have them available from 9 a.m. to 4 p.m. at the following places:

City Hall at Clinton, April 13; Community Center at Leavell Woods, April 14; Modox Marketeria at Forest Hill, April 15; Combs Drug Store at Terry, April 16; Sam Barlow's store at Van Winkle, April 17; City Hall at Utica, April 18.

"This is not a new registration, but is only for the convenience of persons who have not registered to vote in the precinct prior to Oct. 17, 1949 and those persons becoming 21 years of age prior to Nov. 3, 1959. I will also issue exemptions to those persons who have attained the age of 60 years," Ashford says.

'no.' Each time he did not ask us for any qualifications or present us with any blanks, he just says 'no' we could not register."

Darden said efforts have ben made to intimidate him, that a cross was burned in his yard and that "threats have been made against me."

He said that there are in Mississippi over 494,000 Negroes of voting age but that only 22,308 were registered as of Aug. 1, 1954. The number now is estimated at about 25,000 he said.

NONE IN 11 COUNTIES

There are 11 counties where no Negroes are registered and in some of these counties the Negroes constitute 69 and 70 per cent of the population, he said.

Mississippi, he said, requires persons seeking to register to interpret sections of the state constitution and to write an essay on duties and obligations of citizens.

"The requirement to interpret any section of the Mississippi constitution to the satisfaction of the circuit clerk cannot be met if the clerk does not want to be satisfied," he said.

Voting Boycott Saves Sheriff

Rutherford Apparently Will Be Kept On Job After Scanty Balloting

(Pictures on Page 17)

By JAMES KINGSLEY

Special to The Commercial Appeal

BOONEVILLE, Miss., April 7—Prentiss County voters apparently decided Tuesday to retain Sheriff George Rutherford Jr. in office by staying away from the polls in the state's first recall election.

With six of 20 precincts reporting, the count showed 401 favored removing the sheriff from office and 25 to retain him. However, a survey indicated that only a little more than 2,000 persons cast ballots in the election, far below the required majority of qualified electors.

Needed 3,112-Vote Total

The county election commission certified that 6,223 persons were eligible to vote in the election and that 3,112 persons must participate to make it valid.

Sheriff Rutherford had urged his supporters to boycott the polls, saying that any vote cast in the election was a vote against him. A simple majority vote would have been enough to remove him if enough persons had cast ballots.

The sheriff has less than nine months of his four-year term to serve and, under Mississippi law, a sheriff cannot succeed himself.

Lax Enforcement Charged

Tuesday's election marked the climax of a two-year effort by a citizens committee to unseat the sheriff. The committee, headed by Booneville attorney J. A. Cunningham Sr., accused the sheriff of lax law enforcement.

The recall move, started in March, 1957, was the first attempt to remove an officer under the state's recall law. A series of court tests, designed to test constitutionality of the law, figured in the delay in bringing the issue to a vote.

'No Justice in Mississippi,' House Told

By ALICE A. DUNNIGAN

WASHINGTON (ANP) — "Negroes of Mississippi need freedom, they want justice in the courts and they want first-class citizenship," pleaded C. R. Darden, president of the Mississippi State Conference of NAACP branches, before the House Judiciary Committee last week.

• "They can expect no justice, freedom or equality from the state and local officials in Mississippi. Therefore, we must look to Congress to enact the necessary legislation to guarantee equal protection under the law," Darden said.

The local NAACP executive showed the committee a picture of a bullet hole that partly shattered the window of Albert Jones' home in Meridan, Miss., just as he (Darden) was leaving en route to Washington to testify.

DARDEN introduced into the record a tabulation of the voters in Mississippi's congressional districts.

In 11 counties there are no Negroes registered at all. Some of those counties have a Negro population of 69 per cent. Out of the 494,653 Negroes over 21 years old living in Mississippi in August, 1954, only 22,308 were registered.

He further reminded the congressmen of continued segregation in waiting rooms at the railway station and on buses.

Also testifying before the judiciary sub-committee were the Rev. J. M. Barnes and Mrs. Barnes from Hattiesburg, Miss.

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THE REV. BARNES said he was a native of Mississippi and had lived in Hattiesburg for 25 years but has never been able to register and vote.

There are 7,400 Negroes in Forrest County, Miss., over 21 years of age, said the minister, but only 25 are registered to vote.

The Mississippi witnesses testified immediately following MacDonald Gallion, attorney general of Alabama, who opposed any civil rights legislation. The Alabama official called all pending civil rights bills an "unnecessary encroachment on state authority."

The passage of such legislation, he added, "will likely fan the flame of a situation that already exists."

Mississippi lambasted

JACKSON, Miss. — The same publicity given to the investigation of "fixed" TV quiz shows should be "given men in high places who defy the law by using the power of their office to deprive colored persons of the right to vote."

C. R. Darden, president of the Mississippi State Conference of NAACP Branches, also stated last week "it is imperative . . . that a Federal Commission be appointed to register voters in Mississippi."

In his address before delegates to the 14th annual state conference, Mr. Darden noted that Mississippi has a "shameful and incredible record of less than 22,000 colored registered voters out of a potential of 497,000."

* * *

THE NAACP leader stated that the Mississippi conference is "highly encouraged by progress made in border states" in the field of civil rights.

"The record of Mississippi is considerably worse than a year ago," he added.

He declared that the Delta State had stooped to a "new low" in arresting Clyde Kennard on trumped up charges after he tried to enroll at Southern Mississippi College.

And to add to the already horrible crimes of the lynching of Emmett Till, the slaying of the Rev. G. W. Lee and Lamar Smith, the speaker notes that Mississippi chalked up another kidnap-lynching this year by putting Mack Parker on the list.

* * *

DESPITE MANY set backs, Mr. Darden asserted, "we will not turn back in our struggle for freedom, justice and equality . . . as this is a nation of law and not of men."

He pointed out that the NAACP has been falsely accused by those who wish to discredit and smear the organization, but we — as an organization — cannot be destroyed.

"We can, we will and we must win," he concluded, "even in Mississippi."

MISSISSIPPI TESTS DRAW LIGHT CROWDS

JACKSON, Miss., Nov. 3 (UPI)—Fewer than 50,000 of Mississippi's qualified voters cast ballots today in making official the election of Democratic nominees for nearly every state and county elective office.

Virtually all candidates were unopposed, having won big victories in the August Democratic primaries.

Only in Hinds County (Jackson), where a Republican sought the State Senate seat of a Democrat in a G. O. P. bid to gain a foothold in Mississippi, was there a real race.

W. V. Westbrook Jr., Jackson Republican Club president, a young business man, sought the State Senate seat of Hayden Campbell, the Democratic nominee. Mr. Westbrook's candidacy was the first G. O. P. opposition in state elections in seven years and was believed to be the first in a legislative race since Reconstruction.

Observers said it was the biggest turnout they had ever seen in Hinds County in a general election here.

All high-ranking state officials and members of the state's Congressional delegation urged voters to support Mr. Campbell to preserve Mississippi's one-party system. Mr. Westbrook is a segregationist.

Elected without opposition was Gov. Ross Barnett, a 61-year-old Jackson Lawyer. He defeated Lieut. Gov. Carroll Gartin in the Democratic primary run-off.

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MISSISSIPPI

Putting It Up To Mississippi

New York Herald-Tribune

In the case of Robert Lee Goldsby, a Negro convicted of murder in Carroll County, which the Supreme Court has properly refused to review, the Court of Appeals decision voiding the conviction.

The facts were plain. Carroll County's population is mostly Negro, but it has no Negro voters and hence no Negro jurors. Therefore Goldsby's conviction was tossed out; he hadn't been tried by the kind of jury guaranteed under the U. S. Constitution.

If this puts Mississippi in a box, the way out is obvious. Let the Negroes vote.

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MISSOURI

Lesson From St. Louis Vote

WE HAVE ALL ALONG held to the belief that political moves for compulsory race-mixing and other Negro "rights" stem roughly 99 per cent from cheap political pressures, and perhaps one per cent from genuine idealism and affection for the colored man.

A striking confirmation of this comes in an analysis by the St. Louis Post-Dispatch of the recent vote by St. Louis aldermen in defeating an "anti-discrimination" bill. The editorial did not give details of the proposal. All we know is that St. Louis Negroes wanted it. Surely that was enough to make St. Louis aldermen say "let 'em have it," in keeping with the spirit of the times. It was indeed—in the cases of those aldermen who had enough Negro votes in their wards to make them trim their sails accordingly.

St. Louis has a board of 29 aldermen. The Post-Dispatch notes that of 12 votes for the bill, nine came from aldermen "whose wards include substantial to solid blocs of Negro votes." The other three "yes" votes were cast by men with city-wide political aspirations, who also found it expedient to heed the Negro vote. Not a single alderman so situated as not to be intimidated, voted for the measure.

The pious Post-Dispatch cited these facts, not with approval, but as proof of "the power of narrow local interests to veto community progress." To a man from Mars—or Alabama—it was a striking example of the way Northern politicians are bullied by bloc votes. A majority of the St. Louis aldermen, being at least relatively free of such pressure, voted their convictions and defeated the measure. It was the fifth time in nine years that an "anti-discrimination" proposal has been beaten by the as yet unterrified majority of the St. Louis board.

Bill to Stop Absentee Voting Is Killed

A House Committee of Election Laws yesterday moved swiftly to kill a bill that would have done away with civilian absentee voting in general elections.

The bill had been introduced in the House by Rep. Harlow Holcombe of Yancey at the request of the State Board of Elections. Holcombe is also chairman of the committee that killed the measure.

Only a few "noes" greeted a committee motion, made by Rep. O. K. Yates and seconded by J. Thurston Ammons, to vote unfavorably on the bill.

The measure, which would have abolished all State absentee voting except that by military personnel, was supported in the committee by Rep. T. E. Story, Republican from Wilkes County.

Story introduced such a measure himself twice before in the 1940's. He noted yesterday that it had been killed in committee both times.

Story called absentee balloting a "thorn in the flesh" that has plagued North Carolina down through the years.

He remarked that his experience with abuses of absentee voting went back as far as 1918 when a soldier from his town, killed in action in World War I, was later voted absentee in two townships in his county.

Rep. Kemp Doughton of western Alleghany County, opposed the measure. He said he knew of "very few laws that are not violated." Doughton said the bill would deprive many North Carolinians, who work out of the State, of their right to vote.

The death of the bill to abolish Statewide absentee voting came just a few minutes after the committee had voted favorably on a local bill to do away with such voting in Graham County.

Rep. Leonard Lloyd of Graham told the committee that as many as 500 votes had been purchased in the last Graham County sheriff's election, some for as much as $140 a ballot.

He estimated that over $50,000 had been spent by both Republican and Democratic parties in the election and said that even FBI and SBI investigation of illegal votting practices in Graham had failed to do away with the purchasing of absentee ballots.

Bills to change State laws dealing with primary elections also were brought before the committee and referred to a sub-committee for further consideration.

One of the bills, all of which are requested by the State Board of Elections, would change the day of primary elections from Saturday to Tuesday, and move the date from the last Saturday in May to the last Tuesday in June.

Committee chairman Holcombe appointed Reps. Taylor, Whitmire, Yates, Leatherman and Doughton to study the measures further. Ben Trotter, chairman of the elections board, and Raymond Maxwell, executive secretary, were on hand to plug for the bills.

In another action, the committee voted to approve a bill that would set up a study committee to consider the use of voting machines by counties. The bill, introduced by Senator Staton Williams, provides that the committee report its findings to the General Assembly before the session ends.

High Court Airs Suit On N. C. Vote Riahts

WASHINGTON—The Supreme Court has heard arguments on the validity of the literacy test used in North Carolina as a means of testing a citizen's ability to vote.

The attack made by Mrs. Louise Lassiter was made on a statute requiring all who seek registration to be able to read or write "any section" of the State constitution.

When Mrs. Lassiter refused to take the test, the Northampton County registrars declined to register her.

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IN HIS ARGUMENT before the court, Samuel Mitchell of Raleigh, N. C., attorney for Mrs. Lassiter, contended that this requirement violated the 14th, 15th and 17th Amendments of the Constitution.

The 14th Amendment guarantees equal protection of the law, he declared. This amendment is violated because the franchise is denied persons who cannot read or write "any section" of the constitution.

The 15th Amendment is violated because it denies voting rights on racial grounds. This statute excepts certain classes of white voters from the literacy requirement, on a State Constitution provision, he contended.

The literacy test violates the 17th Amendment, continued the attorney, because it is applied to Federal elections, thus denying the citizen the right to cast a popular vote in the senatorial election.

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I. BEVERLY LAKE, counsel for Northampton County election board, contended that the right to vote is not an absolute right but may be limited. He listed among limitations, the age requirements and criminal records.

In his brief, Attorney General Malcolm B. Seawell of North Carolina attacked Mrs. Lassiter's suit as "an open and bald attempt to make eligible for voting and for political purposes a mass of illiterate and uneducated persons who will be docile and tractable, who will not understand the issues involved in any election, but who will vote at the dictates of their leaders."

Supreme Court Upholds N. C. Voter Requirement

WASHINGTON (AP) — The Supreme Court unanimously upheld a North Carolina requirement that prospective voters must be able to read and write any section of the State Constitution.

Validity of the requirement was attacked by Mrs. Louise Lassiter, a Negro. She refused to read sections of the State Constitution when she asked to be registered as a voter in Seaboard Precinct, Northampton County.

Justice William O. Douglas delivered the unanimous decision.

Her Contention.

Mrs. Lassiter contended the requirement violated guarantees of the U.S. Constitution. She appealed to the high tribunal after the State Supreme Court rejected her contentions, saying the requirement of a literacy test was applied to all persons without discrimination as to race, creed or color.

A former assistant state attorney general, I. Beverly Lake, was counsel for the Northampton County Election Board. He argued the requirement was a "valid, non-discriminatory and reasonable literacy test" which a three-judge U.S. District Court in Raleigh had found to be applied without discrimination. Lake said Mrs. Lassiter was unable to read or write.

Douglas said the North Carolina requirement "applicable to members of all races," seemed to the highest tribunal "to be one fair way of determining whether a person is literate."

Douglas added, "Certainly we cannot condemn it on its face as a device unrelated to the desired opinion that: "Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books and other printed matter canvass and debate campaign issues, a state might conclude that only those who are literate should exercise the franchise."

Not On Wisdom.

Douglas said the Supreme Court was not sitting in judgment on the wisdom of North Carolina's policy in the case. But he added, "We cannot say, however, that it is not an allowable one measured by constitutional standards."

A brief submitted to the high tribunal by Atty. Gen. Malcolm B. Seawell of North Carolina said similar tests were in effect in 19 states, only seven of them Southern states. The brief added:

"This is an open and bald attempt to make eligible for voting and for political purposes a mass of illiterate and uneducated persons who will be docile and tractable, who will not understand the issues involved in any election, but who will vote at the dictates of their leaders."

Samuel S. Mitchell, Negro attorney of Raleigh, argued before the high tribunal on behalf of Mrs. Lassiter. He said it could not be inferred that a so - called grandfather clause in the State Constitution had been repealed.

The clause said any person who was a registered voter in 1867, or any lineal descendant of such person, could register without taking the literacy test.

Lake replied the clause had been held void and no attempt is made to apply it.

N. C. voter test is constitutional

WASHINGTON (NNPA) — The Supreme Court Monday unanimously upheld the constitutionality of the North Carolina voter literacy test.

That a prospective voter be able to read and write any section of the North Carolina constitution in the English language said the court, "is a fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen."

The opinion, written by Justice William O. Douglas, continued: "Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot."

Originally brought in the Federal District Court by Mrs. Louise Lassiter against the Northampton County Board of Elections, the suit asked to have the voter literacy test declared unconstitutional and void.

* * *

A THREE - JUDGE court found that the literacy test was part of a provision of the North Carolina constitution that also included a grandfather clause, but that the North Carolina statute which enforced the registration requirements is superseded by a 1957 Act which omitted the grandfather clause.

The three - judge court withheld its action. It retained jurisdiction and gave Mrs. Lassiter a reasonable time to exhaust her administrative remedies and get from the state courts an interpretation of the statute in light of the state constitution.

Mrs. Lassiter sought to register. Her application was denied by the registrar because she refused to take the required literacy test. On appeal the County Board of Elections denied her registration for the same reason.

* * *

THE SUPERIOR Court upheld the board against the contention that the requirement of a literacy test violated the 14th, 15th and 17th Amendments of the Federal Constitution. The North Carolina Supreme Court upheld the decision.

Mrs. Lassiter then appealed to the United States Supreme Court.

The federal three - judge court ruled that the 1957 statute eliminated the grandfather clause from the existing law.

North Carolina Attorney General, in a brief filed in the Supreme Court as a friend of the court, agreed that the grandfather clause was in conflict with the 15th Amendment.

The North Carolina Supreme Court ruled that the grandfather clause was separable from the rest of the statute and was void. The United States Supreme Court agreed with this view.

Voter Literacy Tests Upheld By High Court

WASHINGTON (AP) — The Supreme Court Monday unanimously upheld the right of states to apply a literacy test to voters so long as no racial discrimination is involved.

Justice Douglas, speaking for the court, said a North Carolina law requiring the prospective voter to be able to read and write any section of the state constitution in the English language was fair on its face.

He said the requirement applies to members of all races.

"That seems to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes (snares) for the citizen," Douglas said. "Certainly we can not condemn it on its face as devise unrelated to the desire of North Carolina to raise the standards for people of all races who cast a ballot."

In other actions Monday involving racial issues:

1. The justices held 6-3 that the federal courts must give Virginia state courts reasonable time to pass on constitutionality of three Virginia laws aimed at the NAACP before federal courts take action on them.

The majority opinion by Justice Harlan said a three-judge federal court which decided the laws violated the U.S. Constitution's guarantee of equal protection and due process of laws should have abstained from deciding the merits of the issues so as to give the Virginia courts a reasonable opportunity to construe the statutes.

Justice Douglas took vigorous exception in a dissenting opinion in which Chief Justice Warren and Justice Brennan concurred.

2. The court denied a hearing to five Houston, Tex., Negroes who complained the United Steel workers Union negotiated a labor management agreement with Armco Steel Corp. that discriminated against Negro employes.

In the North Carolina literacy test case, the loser was Mrs. Louise Lassiter, a Negro woman who refused to read sections of the North Carolina Constitution when she asked to be registered as a voter in Seaboard Precinct of Northampton County. She contended the requirements violated guarantees of the U.S Constitution.

J. Beverly Lake, counsel for the Northampton County election board, said Mrs. Lassiter was unable to read or write.

Douglas observed that a literacy test, fair on its face, may be employed to perpetuate racial discrimination. But he said no such influence was charged in the North Carolina case.

Atty. Gen. Malcolm B. Seawell of North Carolina said in a brief filed with the court that similar literacy tests are in effect in 19 states, only seven of them Southern states.

The three Virginia "NAACP laws" touched on Monday require organizations promoting racial integration, or collecting funds for such purpose, to file with the state the names of members of the groups and complete financial statements. One of the laws also bars the stirring up of litigation by persons not directly involved.

The lower federal court did not rule on two other similar laws, but retained jurisdiction pending rulings by state courts.

...il Rights Head Urges More Voters

DURHAM, N. C. — "There's a vast reservior of goodwill in North Carolina favoring the equal protection of all citizens under the law," according to McNeill Smith of Greensboro, chairman of the North Carolina Advisory Committee of the U. S. Civil Rights Commission.

Smith made the remark during a Law Day celebration Friday at North Carolina College. Eugene Williams instroduced the speaker in Duke Auditorium.

In reply to a question regarding his opinion about the progress of desegregation in the South's schools, Smith said "I think there will be no real, legal barriers, but I guess you can expect all sorts of economic and social barriers."

Speaking of the desegregation status of North Carolina's schools, Smith said the program is moving smoother in the Piedmont than in the east. "At that, however, it will likely take several years of showing in the Piedmont before general acceptance (of the desegregation practice) can be expected.

He elaborated to say that increased evidences of improving academic work as supported by evidence in achievement tests performance and lack of social incidents would tend to make the program viewed with some favor by some people who are totally opposed now.

NO COMPLAINTS

The state committee is now empowered to receive sworn statements regarding violations of voters' rights. "To date, we haven't received a single one!" Smith said.

In a public address given in Duke Auditorium, Smith emphasized the desirability of setting up unternational rule of law to prevent hostile forces from using atomic radiation to destory mankind.

A student asked Smith to suggest a way to deal with high state officials who practice "massive resistance" against federal laws aimed at desegregating the South's schools. "Elect some one else," he answered. "If a politician, North or South, says he is doing what "everybody" wants done, what he means is that he is doing what "everybody" who elects him wants done."

He urged his large students audience to vote and to encourage their friends and relatives to vote.

NCC's Law Day program was sponsored by the Law School's Student Bar Association.

Louisiana Vote Ditches Long

The Washington Post

By David Zinman

NEW ORLEANS, Dec. 6 (AP)—Louisiana voters turned a cold shoulder to hot-tempered Gov. Earl K. Long in the Democratic first primary election yesterday.

Instead, they selected for a second primary runoff two bitter foes of the Governor—Mayor deLesseps S. Morrison of New Orleans and one-time Gov. Jimmie H. Davis, the country crooner.

The state constitution barred the 64-year-old Long from re-election, so he ran for lieutenant governor.

He stood third with 15 per cent of the vote reported, 41,000 votes behind the leader, C. E. "Taddy" Aycock of Franklin. Davis backed Aycock.

Morrison himself held a 66,473-vote lead over Davis with 95 per cent of the state's precincts counted.

The showdown for Governor comes Jan. 9, since neither Morrison nor Davis polled a majority of the total vote.

At the same time, Aycock and Mayor George Bowdon of Alexandria, the Morrison candidate, will seek the office the voters denied to Earl Long.

Spokesmen for both Morrison and Davis made the obvious bid for runoff support from the three major losing candidates who hold the balance of power. They are staunch segregationist State Sen. William M. Rainach, who ran third; former Gov. James A. Noe, the Long running mate, and State Comptroller William Dodd.

The runoff winner, normally certain of election in Louisiana, will face GOP candidate Francis C. Grevemberg in a general election April 19.

For Governor, complete unofficial returns from 2002 of 2108 precincts showed:

Morrison 261,468; Davis 194,995; Rainach 133,040; Noe 88,824; Dodd 80,612.

For Lieutenant governor, 1797 precincts showed:

Aycock 172,811; Bowdon 167,825; Long 128,961; Cy Courtney 94,921; William J. White 52,455; Frank A. Jordan Jr. 18,611.

Six lesser known gubernatorial candidates: Holt Allen 3568; Gale Berry 1700; John B. Krey Jr., 2874; Allen G. Lacombe 4604; Mack P. Stewart Jr., 6313; A Roswell Thompson 3663.

Rights Group Completes Study Of Voter Registration In NC

The News and Observer

Raleigh, N. C.

FAYETTEVILLE (UPI)—The North Carolina advisory committee of the Civil Rights Commission completed its study into voter registration at its ninth meeting Saturday.

The nine - member advisory group heard reports of its subcommittees stduying the equal protection of the laws "for all the citizens in North Carolina in respect to voting, housing, education and employment."

A report on nine counties regarding voting was added to an earlier report on the other 91 counties in the state.

First Time.

Chairman McNeill Smith said, ". . . for the first time the people of North Carolina have a current report, based on information furnished by the county boards of elections, from each county in North Carolina showing the total registration, the number of white persons registered and the number of none-white persons registered.

The report showed this further breakdown for the nine counties, with White, Negroes, and Total registration in that order:

Columbus 14,000, 2,500, 16,500; Franklin 8,500, 1,500, 10,000; Greene 4,742,300, 5,042, henderson 26,614, 386, 27,000; Nash 20,951, 2,328, 23,279; Northampton 5,300, 900, 6,200; Orange 13,665, 1,380, 15,045; Pender 4,500, 500, 5,000; Washington 4,500, 500, 5,000.

Smith said the supplementary report will be submitted to the North Carolina State Board of Elections and the information will be included in revised map showing the registration of nonwhites by counties throughout all of North Carolina.

Voting Rights Complaints Are Offered

NEW BERN, (AP) — The North Carolina Advisory Committee to the U.S. Commission on Civil Rights heard complaints Wednesday from several Negroes who alleged their voting rights had been infringed.

The committee accepted one of the complaints at its one - day meeting. It returned the others to be put in proper form.

The group voted to continue its survey of housing and employment in North Carolina among the races, and decided to meet next in Asheville Aug. 8.

Moses Forbes of Stantonsburg in Greene County presented the only voting rights complaint supported by affidavit.

Two Weldon Negro preachers, the Rev. N. K. Dunn and the Rev. Alexander D. Mosley, offered the names of several persons who allegedly were denied voting registration in Halifax, Northampton and Warren counties. The committee advised that the ministers get affidavits from each person on the list.

PERCENTAGE OF POTENTIAL NON-WHITE VOTERS REGISTERED, BY COUNTY, 1958

More On Registration Books

Negro Voters Face No Obstacles In Most North Carolina Counties

Negroes who would be voters face no obstacles in most North Carolina counties and the number of Negroes on the registration books "is substantial . . . and is increasing every year."

That is the conclusion of the North Carolina Advisory Committee on Civil Rights in a survey of voter registration in the State.

The survey, first of its kind ever made in the State, was sent to the State Board of Elections by the civil rights group Friday and released yesterday.

With this rosy conclusion, however, the report couples statistics showing that Negroes comprise only about one-tenth of the voting population of the State (they comprise one-fourth of the total population).

Small Registration.

Further, the report shows that:

—Negro voter registration in eastern counties with large Negro populations is the smallest in the State and the increase in Negro registration is slowest in these counties.

—The civil rights group has received 17 complaints, from Negroes in three eastern counties claiming racial discrimination at the registration desk.

—Several eastern counties with large Negro populations failed to send in data about voter registration to the survey.

The committee which signed the report includes three Negroes. One of them is C. O. Pearson of Durham, State counsel for the National Association for the Advancement of Colored People.

The report is in sharp contrast to findings in other southern states made by the Southern Regional Council, an Atlanta civil rights group which recently issued a report claiming widespread discrimination against would-be Negro voters in some Deep South areas.

Voter Apathy.

The survey also emphasizes some facts about voting in North Carolina:

—Voter apathy is strong. Less than 50 per cent of the electorate has been voting in recent elections.

—Voting is heaviest in western counties where Democrats and Republicans battle for office.

—Many North Carolina counties have not purged registration books of the names of dead or moved voters in more than 20 years; consequently, registration statistics are vague and distorted.

—Where the modern, looseleaf, registration system is in effect, registration information is accurate and up-to-date.

The committee, headed by McNeill Smith, Greensboro attorney, said it is sending its report to the federal Civil Rights Commission, its parent.

In concluding that Negroes have no obstacles to registration in most North Carolina counties, the committee said "we believe that North Carolinians are in general agreement that none of our citizens should be denied the basic right . . . to vote."

"In places where any person may have been denied this right, we believe that when known and understood, the good experience in the rest of the State and the loyalty of our people to the fundamental principles of free government will soon eliminate any question of voting discrimination anywhere in North Carolina."

The report also concludes that North Carolina registration laws are nondiscriminatory.

Halifax Complaints.

Of the 17 complaints which the committee said is received, ten came from Halifax County and six from Northampton, two counties of large Negro population in the Roanoke River valley.

Another complaint was filed from Greene County.

The committee report notes that elections boards in Northampton and Greene were among nine who failed to send information. Others were Columbus, Franklin, Henderson, Nash, Orange, Pender and Washington.

Total Negro voter registration reported in the 91 counties was 165,678. White registration totaled 1,501,575.

In the survey 28 county election officials reported the number of applicants who have been refused registration because they failed to meet constitutional requirements that voters must be able to read and write.

75 In Bladen.

Bladen County reported 75 refused. Sampson estimated 60. Granville reported 12 Negro and nine white. Pamlico reported 24. Warren reported "quite a few, both Negro and white."

Others reported one or two, or none.

The report quotes several county election officials who made comments or suggestions.

The Lenoir County election board chairman said that a larger percentage of registered Negro voters exercised the privilege than whites, "probably 10 or 15 per cent more."

Others claimed that "there has been no problem" about registration and that qualified Negroes have been enrolled without question.

The report praises local county election officials for their cooperation in gathering the statistics.

Practically the only critical note sounded in the report is a quote from the Durham Committee on Negro Affairs, which filed a statement with the civil rights committee.

The Durham group says it did not know of any discrimination in Durham, but charged that "pressures" applied to Negroes in eastern "black belt" counties "block effectively their participation in the political life of their respective communities."

Members of the committee include Smith, Mrs. Margaret Vogt of Wilson, Millard Barbee of Durham, Paul Ervin of Charlotte, Marion Wright of Linville Falls, Dr. R. A. Wilkins and Negroes A. T. Spaulding of Durham, and G. O. Pearson, both of Durham, and Curtiss Todd of Winston-Salem.

Carolina woman continues to fight literacy test for voting

WELDON, N.C. — The Walker-Lassiter Defense Fund has voted to help Mrs. Louise Lassiter continue her fight to be allowed to register and vote in Northampton County.

The U. S. Supreme Court turned down an appeal last June on a suit by Mrs. Lassiter to test the constitutionality of the North Carolina literacy test for voting. She contends the law is being used to keep Negroes from voting in this area.

She did not seek to test the law as applied, but only as written. As a result, the North Carolina Supreme Court held it constitutional and the U. S. Supreme Court refused to reverse the ruling.

However, the U. S. court did lay down several new and important principles which may lead to ending the use of literacy tests to keep Negroes from voting in the South, which was Mrs. Lassiter's original aim.

The high court declared: (1) that voting is a federal right subject to imposition of some state standards; (2) that state standards are subject to federal standards; (3) that a literacy test, fair on its face, may violate the 15th Amendment to the U. S. Constitution by the way it is applied; (4) that a literacy test is unconstitutional on its face if it is a device to make racial discrimination easy.

According to the Southern Conference Education Fund, which is helping Mrs. Lassiter, the Supreme Court "appeared to feel that the North Carolina law is technically illegal, but avoided the question of constitutionality because the applicant did not raise the specific question of the law as applied."

Mrs. Lassiter was denied the right to register when she refused to take the literacy test, although she reads and writes.

The Supreme Court ruling opens the way to get the North Carolina courts to say whether registrars have the right to apply the law as they do, said the SCEF. For example, some require applicants to write down the state constitution as it is read to them. Some give a test as to spelling, meaning and pronunciation.

Mrs. Lassiter contends that the law means merely the ability to read the constitution or to copy it down while reading from the text. If the North Carolina courts say the applicant must be able to write the constitution while it is read to him, then the applicant can appeal this ruling to the U.S. Supreme Court — provided this method has been attacked as discriminatory by the applicant.

A three-judge federal court is holding in abeyance another suit by Mrs. Lassiter. This was filed after she was refused the right to register because she mispronounced the word "indictment" while reading the state constitution aloud the first time she tried to register. This case also awaits exhaustion of state remedies.

President of the Walker-Lassiter Defense Fund is the Rev. Alexander D. Moseley, P. O. Box 47, Weldon, N.C., who is also chairman of North Carolina Friends of SCEF and vice president of the Progressive Civic Union. Attorneys for Mrs. Lassiter are James R. Walker, Jr., of Weldon, and Samuel Mitchell and Herman Taylor, of Raleigh.

Walker's name is in the title of the defense committee because he has been fined and jailed since he agreed to represent Mrs. Lassiter in 1956.

She Just Wanted To VOTE

We ask you to consider the case of Mrs. Louise Lassiter, who was not only denied the right to vote but whose attorney has been jailed and fined several times since he took her case.

Mrs. Lassiter decided in the spring of 1956 that it was time for her to register to vote. She was 41 years old, the mother of three children and had lived in Northampton County all her life.

Ordinarily when a person decides to register, he or she simply does so. However, it is different in many parts of the South—and Northampton County is part of the South. It is in northeastern North Carolina.

Negroes make up 60 percent of the population in that part of the state and Mrs. Lassiter is a Negro. Just a few hundred Negroes are registered in her county and they got on the rolls only after the utmost patience and persistence. There are literacy tests and all sorts of gimmicks to discourage and defeat registration by Negroes.

RIGHTS GROUP

Mrs. Lassiter's husband, Lloyd, had been registered since 1950. He was and is moderator in District A of Northampton County for the Progressive Civic Union of Halifax and Northampton Counties. This is an organization of Negro citizens seeking to gain equal rights.

The Lassiters own a small farm on a back road near Seaboard, which is also the name of the precinct in which they would vote. Mrs. Lassiter went to the registrar's office with this thought in mind:

"If more people vote, I think we'll have more freedom. It would give some of the colored a chance of run for different offices. And it would cause the white people to pay more attention to the rights of the colored."

Her husband says: "The whites feel that if enough Negroes vote they will run the country. I don't feel that way; it makes no difference who runs as long as he's qualified. I'd just as soon vote for him as for anyone else. If a man is not qualified, whether he's white of colored, then he won't get my vote. I think this is a general feeling among Negroes."

MOM OF THREE

Mrs. Lassiter agrees with this. She thinks this kind of feeling will mean a better world for her three children — John Willie, 4 years old; Miss Shirley Dean Lassiter, 18 and Miss Claudia Lee Lassiter, 15. The younger girl is in high school and her sister just graduated.

It was May 5, 1956, when Mrs. Lassiter went to the office of the registrar, Mrs. Helen H. Taylor.

Mrs. Taylor refused to register Mrs. Lassiter and at least 25 other qualified Negroes of Seaboard Precinct because she said they failed to pass a literacy test. Mrs. Lassiter said she was disqualified because she mispronounced three words, including "Indictment," when required to read a section of the North Carolina Constitution.

She asked the U. S. District court to stop election officials from using the literacy test to decide if a person is qualified to vote. Mrs. Lassiter is not illiterate. She completed one year of high school and has no trouble reading such material as court opinions handed down in her case.

CHANGE LAW

In April, 1957, just seven days before her suit was to be heard by a three-judge federal court, the North Carolina General Assembly amended the law relating to registration but kept the literacy test. It did set up a system of appeals from the rulings of registrars, including appeal to the highest court in North Carolina.

Two months later, the federal court agreed with Mrs. Lassiter that "there can be no question but the Article VI, Section 4, of the State Constituion was, when enacted, void as violative of the State Constitutron was, when enacted, void as violative of the provisions of the 14th and 15th Amendments to the Constitution of the United States. . ."

The judge did not declare the amended law unconstitutional, but instructed Mrs. Lassiter to exhaust the appeal remedies set up under the amended section and to ask the state court to interpret the law.

So on June 22, 1957, Mrs. Lassier tried to register again. This time she refused outright to take the literacy test and was not allowed to register. The County Board of Elections, the Superior Court of Northampton County, and the State Supreme Court upheld the registrar, Mrs. Taylor.

LITERACY TEST

Mrs. Lassiter has now returned to the federal courts for relief. She declares that the requirement of a litercy test is discriminatory and violates her rights under the 14th, 15th and 17th Amendments to the U. S. Constitution.

She is represented in this action by James R. Walker, jr., 34-year-old civil rights attorney at Weldon, N. C., in Halifax County, and by Samuel S. Mitchell and Herman Taylor, lawyers in Raleigh. Walker is the only Negro attorney in a six-county area in northeastern North Carolina — Bertie, Gates, Halifax, Northampton, Warren, and Hertford Counties.

His father, James R. Walker, sr., taught school for many years in the last-named county, and it was there that the attorney was born. His mother still teaches at Statesville, in the western end of the state. The family moved to Satesville many years ago and young Walker did not return to the eastern section until 1956 — about the time Mrs. Lassiter decided to register.

On a visit to his native section, Walker recalls, "I saw so many people without legal counsel or guidance of the type they wanted. Any Negro lawyer who tried to represent a client in this section had to get a white lawyer as associate in the case.

BOSS' LAWYER

"Negroes had to employ the boss' lawyer when they needed counsel. The boss advances the money and then deducts it at the end of the year."

Now Mrs. Lassiter didn't want a boss' lawyer to represent her in challenging the literacy test. She employed James R. Walker, jr., and he was glad to take the case.

He had already been active in efforts to elect Negro leaders like Dr. J. A. Tinsley, a physician, to the Board of County Commissioners. In fact he had been campaign manager for Dr. Tinsley and other Negro candidates in an effort to stimulate registration and voting.

Walker recalled that Negroes had held office in Northampton County during and even after Reconstruction but there had been none in office for at least 50 years.

Soon after he was employed by Mrs. Lassiter, the attorney had occasion to observe Mrs. Taylor examining a Negro man who wanted to register. He had been called to the registrar's office by other Negroes refused the right to register. The office was in the general store of Mrs. Taylor's husband, what one might call a public place.

READS TOO FAST

The examination involved writing a section of the State Constitution while Mrs. Taylor read it aloud. "She was reading so fast that the registrant couldn't possibly write it down," Walker declared. "I insisted to her that these people had diplomas from institutions attesting to their literacy."

Mrs Taylor charged that Walker shook his finger at her across the table when discussing the matter with her. She also said the attorney was boisterous but he denied this. He was jailed on charges of disorderly conduct and trespass, ordered to pay a $100 fine or spend 90 days in jail. Fred after two days, he appealed this penalty.

ASSAULT CHARGE

Meantime, Walker was also charged with assault on a female

Attorney Who Tried To Help Her Gets Jail Term

James Walker, Jr. Louise Lassiter

(Mrs. Taylor) and disturbing a registrar in performance of her duty. This was all based on the contention that Walker shook his finger at Mrs. Taylor.

He was fined $500 on the charge of assaulting a female. The appeal was lost in a technicality and Walker was jailed again when he was unable to pay the $500. He was released when friends paid $200 on the fine and promised to provide the rest later.

Then Walker was fined $50 on the charge of disturbing the registrar. A four-month jail sentence was suspended. The $50 fine was appealed to the State Supreme Court. When the case was argued even the state attorney general's office admitted the whole business was pretty weak.

Assistant Attorney General Ralph Moody said he questioned whether the indictment sufficiently spelled out what Walker is supposed to have done to disturb the registrar.

Walker's attorneys, Taylor and Mitchell, contended that the election law itself is so vague that it does not put a citizen on notice as to when he might be violating it by his conduct. They said this in itself is a violation of Walker's constitutional rights.

On October 8, 1958, the State Supreme Court threw out the indictment charging disturbance of a registrar, but it did not touch on the constitutional question. This left Walker still owing $300 in the so-called assault case and awaiting appeal action on another fine. Both these fines were levied on the same set of facts that resulted in the indictment which was killed by the high court.

Walker declares: "The real basis of this case is that they don't intend to have any Negro lawyers practice in this section. They threw the book at me to try to cripple me and drive me out. They used the criminal law to interfere with my practice of the law and as a psychological weapon to scare away clients and keep me broke.

"I stand up as a matter of right and not as a favor. This is a new development in approach to law practice so far as Negro lawyers are concerned."

Citizens of northeastern North Carolina have organized to support Mrs. Lassiter's right to register without taking a literacy test; to protect her right to counsel, and to uphold the right of her attorney to represent her without being harassed and almost driven out of the area.

Leading citizens in the six-county area formed the Walker-Lassiter Defense Fund to help finance the efforts of these two people to win their rights. Members of the Defense Fund feel that their interests and the welfare of all citizens of the South are deeply affected by these cases.

New Deal Improvement Club Endorses Harrison, Vaughn

Frowns On Paid Politicians

34e Okla.

By HANK MOORE

The "Old Guard" politician of Oklahoma City's Eastside received a slap in the face and a kick in the pants Wednesday when the New Deal Improvement Club announced its support to Walter M. Harrison for the office of mayor and to Kenneth R. Vaughn for Ward II councilman.

The New Deal Improvement Club was formed recently to give Eastside voters an impartial look at political candidates. Another purpose of the group is to stop the so-called "buying" of Negro votes.

In the past, candidates have been required to pay large sums of cash to individuals who professed they "controlled" the Eastside vote. Consequently after an election, the masses were left without job advancements and representation because the winning candidate felt that he had bought the vote and nothing else was due.

3-13-59

Issues Statement

Many observers feel that such action is one of the reasons for lack of progress in Negro employment in state, county and city governments.

The following prepared statement was issued by the club:

"The New Deal Improvement Club, in a recent search for suitable candidates for city races (councilman and mayor) could arrive at only one conclusion: the race itself is of secondary importance.

"It is with the utmost shock and disguest that we found that almost every candidate for public office had "bought" the Negro vote. Several Negroes had approached the candidates with propositions to deliver your and my votes for personal compensation.

"This situation has long hampered the progress of the Negro both at the state and local levels and one that we feel must not be allowed to continue.

"If we are ever to enjoy the privileges of first-class citizenship we must accept its responsibilities. We must vote for the candidates who earnestly desire to serve all the people—not as we are told to vote by a few Negroes who have already sold our rights.

Walter M. Harrison, candidate for mayor, and Kenneth R. Vaughn for Ward II councilman, have elected to "pay" for votes they receive by "giving the best public service" if elected."

The club in a closed meeting Tuesday night elected to endorse Harrison over another by a close vote. There was no basic difference between the two campaign platforms of the two candidates, it was learned.

Harrison's nod over the other candidate came on the fact that he (Harrison) has championed the cause of equal representation a little longer than the other.

Vaughn, according to the group, stands head and shoulders above the field in the race for councilman. It was voiced that most of the candidates in the race have a tie-in with the present city government. And that government had not been good to the Eastside in the field of employment and representation.

Vaughn said in a statement that if he is elected he will not work alone. He wants it fully understood that he expects each citizen who accepts the responsibility to vote for a fair-minded candidate must simultaneously accept the duty and responsibility to actively present his community problems and needs to his representative.

A native of Ward II, Vaughn is a graduate of Northeast high school and Oklahoma State university. He is agency supervisor and counselor for Pan American Life Insurance Co. and is active in veteran affairs.

The candidate is pledged to improve the employment and representation situation that is most needed for the Eastside.

Harrison, on the other hand, gained the favor of the Negro vote when he championed the cause of the NAACP youth in their endeavor to win first class accommodation in the lunch room at John A. Brown.

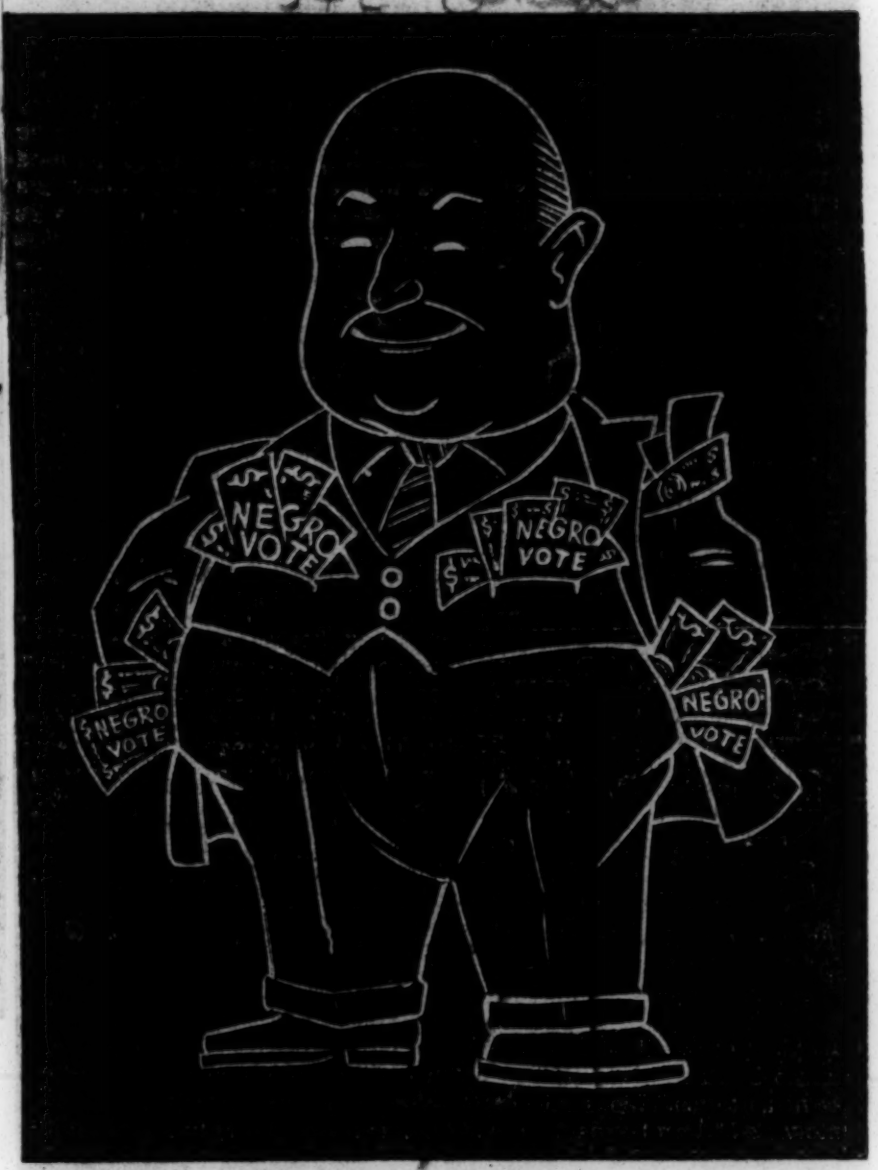
As publisher of the North Star, Harrison on many occasions has been outspoken against injustices directed toward minorities.

The statement of the club continued, "We, as Negroes, have reached a testing point. We must stand together to prove that we cannot be sold in carload lots by anybody. It is more than annoying to think that some big-shot driving a long car has committed you to stand behind a candidate solely because Mr. Big's pockets have been well lined with coins.

"This is your chance to triumph over petty Negro politicians and indifferent election candidates. If, when you go to the polls on March 17, you ignore the 'employees' of some of the candidates and vote your own convictions you will have struck a blow for both collective and individual betterment," the statement concluded.

Have You Seen This Guy?

34e Okla.



You Know His Name

'Sincerity to Downtrodden People'

Oregon to Ratify Vote Law

PORTLAND, Ore.—The Oregon Legislature has voted unanimously to ratify the 15th Amendment to the U. S. Constitution, which guarantees the right to vote regardless of race, color or previous condition of servitude.

The 15th Amendment became a part of the Constitution in 1870 in order to give the freed, former slaves the right to vote. But a few months after it was ratified the Oregon Legislature rejected it.

Oregon, at the time, contained many Southern sympathizers who were pro-slavery, and a large Indian and Oriental population, which served to heighten feelings against ratification of the amendemnt.

State Senator William A. Grenfell Jr., (D-Portland) cheif sponsor of the ratification proposal said, "This is a token of our sincerity to the downtrodden people of all of the Americas," and was especially appropriate during this Oregon Centennial Year.

■

SENATOR MONROE Sweetland (D-Milwaukie), a member of the Oregon Advisory Committee to the U.S. Commission on Civil Rights, declared that ratifying the amendment would add strength to the U.S. Commission on Civil Rights, which is attempting to guarantee the right of Negroes to vote in the South.

Mark A. Smith, administrator of Oregon's Civil Rights laws, points out that the State of Oregon has made an impressive record of progress in law and legal action since enactment of its Fair Employment Practices Act in 1949.

Russell Proposal Seen as Threat

Dixie Fears Negro Votes

By ERIC ROBERTS

WASHINGTON, D. C.—Senator Richard B. Russell, Georgia's senior statesman, has declared that he will introduce a bill in the 86th Congress to effect a more equal distribution of whites and Negroes in the United States.

Veteran observers, who have watched the former hell-for-leather cluster of the late Senator Theodore Bilbo and Representative John Rankin give way to the sophisticated indirection of Senator Russell and Senator James O. Eastland, seem to feel that the new bill aims to curb further Dixie retreat.

A sagacious solon, Senator Russell is realistic enough to know that under new pressures the old vote-exclusion system of Dixie is doomed—and, likewise, that the demagogic tradition, which he represents, must crumble.

If, for example, 20 million Negroes could be distributed "equally" in all the states, less than 400,000 would be clustered in any state.

IF ON THE other hand, they were divided on a pro rata census basis, California, New York, Illinois, Pennsylvania, Michigan and Ohio would be populated by half the nation's Negro total.

This would make it possible for the Dixie demagogues to remain in power forever, even though not on the red-eyed, fire-eating premises of yesterday.

In short, the voting power of the Negro would be reduced to nothingness, everywhere. Under the circumstances, we might describe the proposed Russell instrument as being the finest attempt at nullification in all American history: giving Negroes full benefit of voting reforms which are inescapable but, at the same time, rendering the Negro vote powerless, coast-to-coast.

With racial nullification as his unannounced but certainly obvious goal, it will be interesting to see how Congress, generally, and the national NAACP, particularly, will respond to this shabbily disguised Dixie call-to-arms.

14,623 Sign Voting Books

Municipal Voter Registration Heaviest In 5 North Precincts

By WILLIAM CHAPMAN
News and Courier Staff Writer

More than 14,000 Charlestonians so far are eligible to vote in the June 9 Democratic municipal primary, and approximately half of them live in five heavily populated northern city precincts.

Voting registration figures tabulated at the end of February show that 14,623 city residents are now eligible to vote June 9. Of that total, 7,288 are bunched in five of the city's 24 voting precincts. The five are Precinct 2 of Ward 10 and the four precincts which comprise Wards 11 and 12.

Approximately three months remain before city voters choose a mayor and 12 City Councilmen to govern them for the next four years.

But they have only eight full days and two half-days to get their names on the voting books. Books are open only on the first three days of a month.

A heavy concentration of potential voters in the five northern precincts means that those sectors will be crucial battlegrounds for Mayor William McG. Morrison and his opponent J. Palmer Gaillard Jr.

At this point in the campaign the eligible voter total is about 10,000 less than that of 1955. That year, 24,494 Charlestonians had become qualified. However, only about one-third of them (8,805) voted.

Mayor Morrison trounced his 1955 opponent, Nat W. Cabell, who now is chairman of the Charleston County Legislative Delegation.

In a three-way race in 1951, however, the situation was different. With 20,317 residents qualified, a free-swinging campaign between Morrison, Cabell and O. T. Wallace brought out more than half of the eligible voters (11,909). Morrison beat Wallace in a run-off primary.

Voter registration books will be closed during the regular period of the first Monday, Tuesday and Wednesday in April. State law requires closing of the books 30 days prior to any election, and a House of Representatives special primary is scheduled April 7.

However, the Board of Registration will be open the last two days of April and the entire first week of May. Voters can register from 9 a.m. to 5 p.m. on April 29-30 and on May 1. On May 2, a Saturday, the books will be open from 9 a.m. until noon. During the following week, 9 a.m. to 5 p.m. hours will be observed Monday through Friday (May 4-8) and 9 until noon Saturday.

Board of Registration offices are located at Room 224 of The Center on Marion Square.

Mrs. John C. Townsend, chairman of the Board of Registration, pointed out yesterday that registrants need not show property tax receipts if they can demonstrate their ability to read and write.

Registrants must reside at the addresses used in registering.

Following is a precinct-by-precinct breakdown of registration at the end of February:

Ward	Precinct	Total
1	1	388
1	2	881
2	1	724
2	2	616
3	1	153
3	2	176
4	1	378
4	2	715
5	1	287
5	2	218
6	1	499
6	2	585
7	1	270
7	2	222
8	1	425
8	2	269
9	1	336
9	2	313
10	1	380
10	2	887
11	1	1,217
11	2	1,443
12	1	2,190
12	2	1,551
	Totals	14,423

Open Voter Drive In Columbia, S. C.

COLUMBIA, S. C. — Representatives of more than 15 civic and religious organizations of Columbia and Richland county met recently at the Second Nazareth Baptist church to form a co-ordinating committee for Richland County.

The purpose of the organizatio is to make a block to block canvass of every ward and precinct in Richland County to aid un-registered voters in securing their registration certificate. The goal of the committee is to have 25,000 registered Negro Voters in Richland county by 1960.

Each civic and religious organization is to be repesented on the executive committee of the co-ordinating committee. Materials for canvass and registration will be furnished by the central office of the committee.

'Afraid To Talk About Voting Above Whisper'

WASHINGTON — (UPI) — A South Carolina Negro leader said last week there were parts of his state where Negro citizens were afraid to talk about voting "above a whisper."

The Rev. I. DeQuincy Newman of Spartanburg, S. C. testified before the senate constitutional rights subcommittee.

At the same time, Gov. Ernest Vandiver of Georgia told a House judiciary subcommittee that his state was giving Negro citizens "the real civil rights" of better jobs, wages and housing.

Vandiver said the lot of Negroes was being improved by "steady advancement in job opportunities, personal income housings and other meaningful benefits. If left free of meddling and outside interference, he said, "it will continue."

Newman, head of the South Carolina chapter of the NAACP and other Negro witnesses testified that the 1957 civil rights law was "a joke" in South Carolina.

Newman said Negroes in the state had been "thoroughly intimidated" to keep them from registering to vote. He also said testimony given the subcommittee earlier by Gov. Ernest F. Hollings and other South Carolina officials was "flagrantly misleading."

Newman told the Senators that a state law prevented Negroes from getting any work except menial jobs in textile factories. He said the law even prevented Negroes and whites from standing in the same pay line at cotton mills.

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Rock Hill Citizens Register To Vote

ROCK HILL, S. C. — More than 160 additional Negroes will be eligible to vote in the December 1st Rock Hill, South Carolina municipal election because of the three-day whirlwind registration campaign of CORE.

In a driving rainstorm members of CORE made a door-to-door canvass seeking out those not yet registered to vote. The chairman of the newly organized Rock Hill CORE group is Thomas M. Murdock, a photographer. The group was assisted by national field secretary James T. McCain.

CORE workers helped in filling out registration forms properly and provided transportation for all those needing it.

One 65-year-old woman became so enthused after meeting with CORE workers that she did not wait to be taken to the registration office by car but walked there in the rain. Pink Brown, vice-chairman of the group, personally escorted 41 people to the registration office.

S.C. NAACP maps registration drive

(Staff Correspondent)

COLUMBIA, S.C. — The S.C. Conference of NAACP Branches emerged from a day-long workshop Saturday and announced it was ready to launch a campaign to get 200,000 more registered voters by the end of 1960.

Actually, the organization hopes to have this number by next summer or at least by time of the 1960 general election. The state has about 60,000 colored voters registered, about one-third of its pre-1958 number. There are an estimated 350,000 to 400,000 colored adults in the state who could register.

The NAACP's plan calls for "a coordinated movement with all churches, groups and organizations cooperating in the promotion of a voter-registration program."

Officials emphasized that the organization was adhering strictly to its non-partisan policy and wasn't interested in going beyond the actual registration of potential colored voters.

JOHN BROOKS of Richmond, Va., director of voter-registration for NAACP, said NAACP would act simply as a coordinator in getting the several existing organizations and groups within the community together for a united program in this area.

Such a program, Mr. Brooks said, had resulted in more than 15,000 new registrants in Mississippi, in recent months.

The key workshop on the schedule was held Saturday morning in the downstairs of the Benedict College Library. Consultants were:

Mr. Brooks, James T. McCain, John H. McCray and Esau Jenkins.

* * *

TWO OTHER workshops during the day dealt with organization and field work, led by Mrs. Ruby Hurley, southeastern regional director, and the role of the church in the organizations' program. This latter was led by the Rev. L. G. Odum, church secretary for NAACP.

A public meeting Saturday night in the Allen University auditorium ended the day. The Rev. Mr. Odum delivered the principal address.

The Rev. U. DeQuincey Newman of Spartanburg, new president of the state Conference, announced these following aims of the organization:

1. Voter - registration campaign; 2. reactivation of Youth Councils in the state; 3. greater emphasis upon civic goals through churches in the state; and 4. a "Mother of the Year" contest, to be concluded by May 17th.

Negro Democrats Now In Control Of Charleston's Ward Nine Voting

Negro Democrats made a clean sweep of Charleston's Ward 9 in party organizational meetings Saturday night, pointing up the growing Negro majority within the city's midsection.

Ward 9, historically controlled by whites of the low-income bracket and of late years moving toward slum status, comprises the city's Cooper River waterfront north of Mary Street. It also takes in most of the city's limited industrial plants.

From Mary Street, the ward's western boundary follows Nassau Street for two blocks and then shifts over to Hanover Street, which is then its westernmost line all the way to the city limits at Mount Pleasant Street. In its southernmost portion, Ward 9 takes in part of what Charlestonians of 25 years ago termed "Little Italy" or "Little Mexico." The area at that time contained many immigrants and first generation Americans.

To some extent in the 30s and at a much accelerated rate since World War II, the area has "gone Negro." No longer does it present the pattern of white and Negro families living amicably side by side. Current estimates indicate the Ward has very few white citizens.

Much of the Negro population came from rural areas, forced city-ward by mechanization and failure of farms. Others came to the Ward as the result of "clean-up" of slum areas in downtown Charleston. Birth rates also have been high.

In it are located two of the city's most modern schools (Columbus Street and East Bay) both for Negroes. Cooper River Manor, partially within the ward, is one of the largest all-Negro housing developments in the south.

The ward's southernmost boundary (Mary Street) 150 years ago was almost the northern boundary of Charleston's "Garden District." Some of the mansions built by wealthy Charlestonians were within the ward, however, and several still stand. Most are now cut up into tenement-like apartments and are generally rundown.

While the ward's population today is predominantely Negro, few politicians here give much chance to a Negro being named as ward alderman. They point out that—while a ward alderman must reside within the ward—voting for the position is on a citywide basis. This, they feel, practically guarantees a white candidate success at the polls.

One of the more recent indications of the changing racial aspect of the ward was the move to St. Andrew's Parish of St. John's Protestant Episcopal Church, long one of the ward's white places of worship.

Carolina Statute Declared Valid

U.S. Supreme Court Rules State May Require Test Of Voters

By The Associated Press

WASHINGTON, June 8.—The Supreme Court Monday declared valid a North Carolina requirement that prospective voters must be able to read and write any section of the state's constitution.

Validity of the requirement was attacked by Mrs. Louise Lassiter, a Negro who refused to read sections of the North Carolina constitution when she asked to be registered as a voter in Northampton County. Mrs. Lassiter contended the requirement violated guarantees of the United States Constitution. She appealed to the high tribunal after the North Carolina Supreme Court rejected her contentions and said the requirement of a literacy test was applied to all persons without discrimination as to race, creed or color.

Reasonable Requirement

I. Beverly Lake, counsel for the Northampton County Election Board, argued before the Court that the requiredmtn was a "valid, non-discriminator and reasonable literacy tes which a three-judge United Dis trict Court in Raleigh had found to be applied without discrimination. Mr. Lake said Mrs. Lassiter was unable to read or write.

The Court also set aside a lower Federal Court's decisio that three Virginia laws aime at the National Association for the Advancement of Colored People were unconstitutional.

The high court held by a vote of 6 to 3 that the lower tribunal should not have passed on validity of the Virginia laws until state courts had been given a "reasonable opportunity to construe them."

Roster Required

Two of the Virginia laws required organizations promoting racial intergration, or collecting funds for such purpose, to file with the state the names of members of the groups and complete financial statements.

The third law re-defined barratry, or the stirring up of litigation by persons not directly involved.

A special three-judge United States District Court in Richmond decided the laws violated the United States Constitution's guarantees of equal protection and due process of laws.

Virginia appealed to the high tribunal to reverse the special court's decision. The state contended the special Federal court should have withheld a decision on constitutionality of the three laws until the statutes had been interpreted by Virginia courts.

Fine Struck Down

In another decision, the Supreme Court for the second time struck down a $100,000 contempt fine imposed by an Alabama court on the National Association for the Advancement of Colored People.

The tribunal in an unsigned opinion said the Alabama Supreme Court was wrong in stating in a Feb. 12 opinion that the United States Supreme Court had erred in the case.

The $100,000 fine was levied by Circuit Judge Walter B. Jones in Montgomery, Ala., in June, 1956, for NAACP's refusal to turn over to the state its membership lists and other records.

City's Ward 9 Is Now Almost Completely Inhabited By Negroes

34e 1959

SOUTHERN REGIONAL COUNCIL

Intimidation, Threats Stall Efforts Of Negroes To Vote

ATLANTA, Ga. (ANP) - The strained atmosphere created by resistance to school desegregation has slowed the pace of Negro voter registration in the South, the Southern Regional Council reported last week.

Negroes in parts of the South now feel they run a greater risk in trying to register than at any time since the outlawing of the white primary in 1944.

However, the council added, the long run prospect is for "a steady, if gradual, increase in Negro political participation along with rising economic and social status."

These are conclusions drawn from the council's latest survey of Negro suffrage. A full report on the survey, entitled "The Negro and the Ballot in the South," by Margaret Price, has just been published.

COVERS SEVEN STATES

The Council is an organization of white and Negro southerners working for improved race relations.

The report contains county-by-county registration figures for seven states -- Arkansas, Florida, Georgia, Louisiana, South Carolina, Texas and Virginia.

Since the council last surveyed Negro voting in 1956, none of the 11 southern states has eased its registration laws. Two states -- Virginia and Georgia -- tightened voting requirements. Five states retained the poll tax. Literacy tests, used to limit Negro registration, remained in effect in seven.

WIDESPREAD PURGES IN LOUISIANA

During this period, purges of Negroes from voting rolls have been widespread in Louisiana. In some areas of the South, Negroes trying to register were confronted with threats, slowdowns, evasions and outright refusals.

"The disturbed atmosphere in much of the South, created by resistance to school desegregation, clearly has retarded the normal growth of Negro suffrage. The fear and hostility generated by demagogues has dampened both Negro initiative and white acceptance of Negro political participation," the report says.

The council found that many Negroes already registered have seen their vote shrink in importance as racists sought to make support by Negro citizens a liability rather than an asset.

REGISTRATION DROPS

In eight states where SRC was able to obtain reliable figures, the number of Negroes registered in 1958 totaled 1,028,827, as compared to 1,074,672 in 1956, a drop of 45,845.

These eight included Arkansas, Florida, Georgia, Louisiana, South Carolina and Virginia, where registration figures all come from official sources. In North Carolina, a statewide estimate was made by the executive secretary of the state election board. In Texas, SRC sponsored a county-by-county check, the first of its kind in recent memory.

An estimated 25 per cent of the eligible Negroes were registered in the South as a whole in 1956, as compared to 60 per cent of the white citizens of voting age. The 1958 total represented about the same percentage, a little over 25 per cent of the Negroes of voting age.

However, the report pointed out many areas of the South have a long way to go to achieve even a 25 per cent registration of Negroes. With some exceptions, Negroes generally continued to have the greatest difficulty in registering in the rural Black Belt counties where the ratio of Negroes to whites is highest.

NO NEGRO VOTERS IN 29 COUNTIES

SRC listed 29 counties in the South where no Negroes are registered. These include one county in Virginia, one in South Carolina, two in Georgia, three in Florida, two in Alabama, one in Tennessee, an estimated 15 in Mississippi and four in Louisiana. The majority have populations over 50 per cent Negro.

But there are other counties in the South where Negroes could register and vote in greater numbers. These, for the most part, are in urban areas -- and there has been a continuing trend toward urbanization of the Negro population.

NEGRO VOTERS in Memphis stand in line to wait their turn to cast their ballots Thursday. Scenes such as this were common on election day as Negroes made an effort to elect their first city officers since Reconstruction days. Their efforts, however, were in vain and when January 1 comes, all city fathers installed will be white.

Leader Says 'Not End, But Beginning'

By L. F. PALMER JR.

MEMPHIS, Tenn.—"We won everything but the election."

The intent, young man speaking was Russell B. Sugarmon, jr. A cluster of newspapermen, on-the-spot radio, TV and news reemen encircled him as he chose carefully from his incredibly large treasury of words.

The clock on the wall moved on past midnight. Empty coke bottles stood everywhere like soldiers at attention. The floor of Volunteer Campaign Headquarters on Memphis' Beale street was practically carpeted with discarded literature and balled-up bits of paper. Smoke from hundreds of cigarettes and cigars lingered heavy in the air.

"I guess it's obvious I'm not going to win," said the young man who had scared white Memphis into a mental panic.

SUGARMON HOLDS OUT

Newsmen had been dogging him every step for 30 to 45 minutes bombarding him with one question: "Are you ready to concede defeat?" Stubborn and ever hopeful, the Harvard trained lawyer held out as long as he could, looking and listening for the votes he needed to shove him into office as Commissioner of Public Works.

An hour-and-a-half earlier, the handwriting on the blackboard spelled certain defeat for Attorney-Minister Ben L. Hooks, candidate for Juvenile Court Judge; Eliehue Stanback, seeking the tax assessor's spot; and the Revs. Henry C. Bunton and Roy Love who were after seats on the board of education.

Sugarmon, the young man whose name was anything but sweet to white Memphians intent on keeping Negroes out of elective offices, fingered his black, horn rimmed eyeglasses, talked with his energetic and attractive wife, Laurie, by his side.

"I gave it all I had," he said. "But this is not the end. It's the beginning. The Negro cannot afford to allow this political momentum to run down and I'm a Negro."

count mounted, the truth began slowly to materialize. One TV announcer happily shouted: "Everybody elected tonight is going to be white!"

Slowly the tired, depressed, puzzled Negroes began to wander away from Volunteer Headquarters, headed for their beds to dream about a freedom they could not taste.

They had kept Memphis down in Dixie.

Candidate Hooks saw the election this way:

"White citizens responded to daily newspaper pleas in one of the greatest demonstrations of bloc voting this nation has ever seen. People were afraid of the Negro and they betrayed their favorite sons—the candidates they really liked—to get on the bandwagon and defeat the Negroes."

LEADERS' REACTION

Lt. George Lee, veteran Memphis politician who engineered the Volunteer campaign:

"Memphis government is now compelled to give the Negro true representation in governmental affairs. And those white men who feel for the Negro have been emancipated. Now they may come forth from their underground and freely express their thoughts on racial injustice."

And little Laurie Sugarmon summed up the whole experience on the final radio interview of the hectic night.

"My husband is not the loser," she said. "The City of Memphis is. Memphis has lost a strong, sensitive, qualified man. He would have made a great public servant."

PRAISES NEGRO UNITY

He said that the tremendous unity shown by Negroes in the campaign can only show the city that the colored citizens—almost 40 per cent of the population — are a group to be reckoned with.

"We've already started plans to keep the Volunteer organization alive," he said. "We are now recognized as a potent voting bloc and we intend to grow stronger."

There were only a few folks at Volunteer Headquarters now. When election returns first started coming in, the former insurance office was jammed with well wishers. The three phones jangled incessantly. Radio men kept live broadcasts going; photographers popped bulbs all over the place. And a busy corps of statisticians huddled over figures and chalked up the latest returns on a huge blackboard.

At first the smell of victory trailed into the nostrils of Negroes hungry for success in what they had termed a "Crusade for Freedom." Not since Reconstruction days has a Negro held office in the city of the blues.

DEFEAT SLOWLY EVIDENT

But as the clock ticked and the

5 Candidates Placed 2nd In Hot Campaign

By L. F. PALMER JR.

MEMPHIS, Tenn.—White voters in Memphis Thursday answered the call of rabid white supremacists and flooded the polls to hand five Negro candidates a decisive defeat.

Harvard-trained Atty. Russell B. Sugarmon, jr., who led the Negro ticket, drew 23,000 less votes than his opponent in the race for Public Works Commissioner. The knife he and his running mates had been sharpening for long, hard weeks wasn't sharp enough to cut through Memphis' political curtain.

Everyone of the five Negro aspirants finished second in the voting, but runners-up don't help run a city.

CONSIDERED STRONG THREAT

Sugarmon, who was considered to be a strong threat by pre-election dopesters, polled 35,268 votes. William Farris captured the office of Commissioner of Public Works with a massive 58,964 count.

The incumbent Juvenile Court Judge Elizabeth McCain out-distanced Attorney-Minister Ben. L. Hooks by more than 20,000 votes.

Memphis' present tax assessor swamped Eliehue Stanback 73,97[illegible] to 25,104.

Voters returned two white members of the board of education who were challenged by Negroes. The Rev. Love polled 31,956 votes against 54,[illegible] for Mrs. Arthur N. Seessel, jr. Mrs. Lawrence Coe recaptured her seat with a 55,718 vote with Rev. Henry C. Bunton gathering 28,992.

Thus the widely publicized, hotly contested, race-baiting Memphis city election ended—with Negroes still on the outside looking in as they have been doing since Reconstruction days.

Why?

SEVERAL ANSWERS

Observers of the Bluff City political scene have several answers:

1. From the minute it became known that Negroes were going to seek public office, a master plan began hatching to keep city hall "lily white." This plan—sometimes insidious, always crafty—was built on the "keep Memphis white" theme. The two daily newspapers here followed well the conductor and built to a crashing crescendo the tune that the "peace and harmony" of Memphis would be shattered if any Negroes were elected.

As a result, a record breaking 130,276 votes were cast and from all indications, close to a hundred thousands were polled by whites. Sugarmon rolled up the highest total of any Negro candidate, a little more than 35,000. There are almost 58,000 registered Negro voters in Memphis.

2. The Negro simply didn't vote in strength. Had the "impossible" materialized and all the qualified Negroes voted, they would have undoubtedly elected at least one and maybe two members of the board of education.

3. Sugarmon was defeated in his courageous bid for the Public Works Commissionership because Commissioner Henry Loeb (elected mayor by an overwhelming majority) and Commissioner Claude Armour (swept back into office of police and fire commissioner) prevailed upon Sugarmon's five white opponents to withdraw "so the Negro can't win" and succeeded in getting Will Fowler out of the race.

Next, they picked Bill Farris as "their" man and engineered a stampede for him so that the other white candidates would not significantly split the vote. They succeeded magnificently.

4. Some Negro observers feel that the Negro candidates announced their intentions too long before election day, allowing the opposition plenty of time to draw their battle lines.

These same citizens feel that too many Negroes ran for office. If only one or two had been in spotlight, there might not have been the great Negro scare and less excitement would have been created, they insist.

Seek 30,000 Voters

Huge Registration Drive in Memphis

Courier

MEMPHIS, Tenn.—A Memphis organization has mapped plans for a mammoth voters' registration campaign which is scheduled to get underway Jan. 12. Goal for the campaign has been set at 30,000, which would raise the total number of registered Negro voters in Memphis and Shelby counties from 56,000 to 86,000. The campaign will continue for 90 days.

Pittsburgh 1-24-59

The campaign is being sponsored by the Citizens Non-Partisan Registration Committee, composed of leading Democrats and Republicans as well as leading ministers, professional and business men and women and outstanding civic workers.

1-17-59

THE CITY-WIDE door-to-door campaign will be carried on by volunteer workers. Chairman of the drive is Dr. I. A. Watson Jr., a young civic-minded local dentist. It is being directed by W. C. Patton of Birmingham, Ala., who is widely known for his courageous work in the South in the field of civil rights. He has conducted campaigns in other states, including Louisiana.

Plans are being made to solicit 1,500 volunteer block and precinct workers to go from door-to-door of the approximately 200,000 Negroes living in the city and county.

Many of the area's approximately 400 Negro ministers have agreed to build sermons around "voting and being good citizens" in connection with the registration drive.

The sermons are to be delivered Jan. 11, which has been designated "Citizenship Sunday" by the Citizens Non-Partisan Registration Committee.

■

ASSUMING A lot of the burden of carrying on such a campaign are 65 ward leaders and precinct captains in wards with heavy Negro population.

Patton said Memphis registered the highest percentage of Negro voters prior to this fall's election than any other Southern city. He headed a registration campaign in Memphis last summer. Approximately 15,000 persons were registered under his directorship.

White politicians in Memphis are expected to pressure the 1959 State Legislature into passing laws to tighten registration requirements, a move to further weaken the political strength of the Negro. Presently, the only requirement to register in Tennessee is to answer a few general questions.

The Citizens Non-Partisan Registration Committee is headed by Rev. W. L. Varnado, an outstanding Baptist minister. Meetings are held in the assembly room of Universal Life Insurance Co., one of the country's largest Negro insurance companies.

Rep. Loser's "Affront-To-South" Labeled As Affront To Davidson County Negroes

Fifth District Negro Voters Indignant Over Congressman's Statement That Further Civil Rights Legislation Is Not Needed; Rap Stand On Education And Alabama Fiasco

BY LUTHER CARMICHAEL

". . . I voted against the civil rights bill last time because I thought it was an affront to the South, and I will probably vote against any future civil rights bill. . .

"I cannot speak for Alabama, but as far as the Fifth district of Tennessee is concerned, no one is denied the right to vote. The right to vote is guaranteed by federal legislation nearly 100 years old. It can be enforced in any federal court in the country. I see no reason for additional legislation."

The above are quotes from an interview with Congressman J. Carlton Loser of the Fifth District (Davidson County) as published Tuesday, January 6, in a local daily.

Globe

Pl 34e

Nashville 1-16-59

As a result of these statements Negro leaders, political and otherwise, along with the rank and file of the Negro citizenry of Davidson County, are steaming with righteous indignation. In the meantime, Negro politicos who have supported the congressman in election after election down through the years, are going underground from the embarrassment caused by the words attributed to their fair-headed "hero."

Chr 1-16-59

"Airs" His Views

The question and answer affair found the congressman at his best in the airing of his views on the eve of the opening of Congress. How many citizens of the district approved of the answers is anybody's guess. Perhaps the answer to that one will not be known until the first Thursday in August, 1960.

A number of people contacted by this reporter seemed at a loss as to whether Mr. Loser is going for a "liberal" or a "conservative." The Congressman, they avowed, left them in mid-air on this point when he counted on the liberal majorities in congress to push through the TVA self-financing bill.

Later in the interview, the congressman accused congressmen from other regions of being "inclined to vote for any other measure that might be distasteful to the South" . . . and that others were disturbed by the move of industry to the South."

Mr. Loser then proceeded to label the new members of congress as a bunch coming "from that ultra-liberal group which believed in a strong central government," which, he does not regard as "good" for "the interest of the people."

"I think that Tennesseans, for example, should regulate their own affair as far as possible."

Several political leaders were bewildered at these statements. Said one:

"As a former supported of Congressman Loser (and be sure to use that word "former") I just can't believe it. Can he be so naive as to think that these liberals will support the TVA bill and then vote against civil rights legislation?

"And if these congressmen from other sections are so dead-set against the South because of the move of industry to that region why should he expect these liberal majorities to vote for anything to strengthen TVA, with it's cheap power rates? Cheap power rates and new industry go hand in hand. Mr Loser should know this."

"Narrow Minded"

But back to the civil rights views of the congressman.

Mr. Loser's answer to a question about the need of further civil rights legislation in view of the run arounds Alabama public officials have been giving the Civil Rights Commission, certainly did not ring many bells with Negro citizens of Davidson County.

Despite the fact what a congressman's first duty is to the people of his district, these Negro citizens of Davidson county do not believe that this should be his only duty as a U. S. Congressman. Some pointed to the late Senator George Norris of Nebraska, who was one of the Senate's top fighters for TVA. Tennesseans, they said, thought enough of him to name a town for him.

"If Mr. Loser thinks that it is not his job or concern to lend aid to

those who are denied the right to vote in other sections or states because Negroes can vote unmolested in Davidson County, we must put him in the same category with other bigots in the congress. Mr. Loser is not only the representative from the Fifth District of Tennessee, but he is also a UNITED STATES Congressman. Perhaps he has forgotten this but lots of Negroes in this county won't forget it if or when he comes up for re-election. I certainly will not vote for him if he doesn't change his attitude," one veteran woman political leader said.

And, it might be added, Mr. Loser's contention that no further Civil Rights legislation is needed because of legislation passed nearly a century ago, is also all wet, so far as the Negroes of Davidson County are concerned.

True, section one of Fifteenth Amendment grants the right to vote, irrespective of race, creed or color. But section two of the same amendment reads like this: "Congress shall have power to enforce this article with appropriate legislation."

The above amendment is not being enforced in some sections of the country, and congress, should see fit to pass additional legislation to merely exercising its rights which merely exercising its rights which are plainly stated in the Constitution of the United States.

Big Mess in Own State

Even if Mr. Loser cannot find a reason to be concerned about Civil Rights violations in the State of Alabama, it does seem like he should be a bit concerned about these violations in his own state's western sector.

It is an established fact that Negroes are systematically barred from voting in several west state counties, and in some instances are threatened with physical violence by the "powers." We recall a recent case when a Negro man was given some 24 hours to get out of a West State town merely because he wanted to exercise his voting rights.

Mr. Loser adds further to his fitness for a place in the "hick-town" political arena with a peculiar attitude toward Federal aid to education. He reminded the reporter that he voted for the National Defense Education act which provides funds for improving the teaching of science and mathematics, "and I will continue to favor that type of legislation," he said.

"But I will not vote for any bill which is hamstrung with an amendment requiring school desegregation. It will be 10 years even in Nashville before our schools are completely desegregated."

All of which is causing Negro citizens to wonder if the congressman has ever taken time to compare the courses offered at Hume-Fogg Technical High and Pearl High School—especially in the field of technical vocations. Does he know that Hume-Fogg offers a variety of modern technical courses which are not available at Pearl? Does he know that, in order for a Negro boy to get these courses, he must go to a college like Tennessee State, where he has to pay at least $55.00 per quarter for "fees" while in the meantime the white students at Hume Fogg are getting practically the same training for "free"?

Mr. Loser, from all indications, is primarily interested in preserving the status quo-to turn the clock back to the "good old days."

The congressman wouldn't say whether he would support an education bill which did not have any of the so-called "crippling amendments". He got out of this one by saying that such a bill would not be passed by the congress. He could be right, but you never can tell with gents like Lyndon Johnson and "Mr. Sam" Rayburn pulling the strings these days.

Mr. Loser and other southern politicos who seem to be on the opposing side of federal aid to education, remind of a youngster who had come in possession of a half-dozen or so large and crispy home-made cookies. When told to share them with his brother, he simply threw the whole lot into a blazing fire.

The south needs federal aid for its public schools more than any other section of the country, but apparently the congressman from this districtc and his southern cronies would rather lose whats coming to them than to have the Negro benefit, also.

"It seems", said a prominent Nashvillian, "that some southerners are spending more time trying to keep the Negro in the ditch than they are spending in an effort to get out, themselves. Which means, of course, that if they want to keep us in that ditch they must stay down here with us."

But reckoning day is a-coming—the first Thursday in August, 1960: a day when the wheat will be separated from the chaff; the goats from the sheep, and political charlatans will be blasted into the fire of oblivion, where there will be weeping, wailing and gnashing of teeth. Political sinners will be mourning, and who shall be able to stand?

Summit Meet In Memphis

MEMPHIS, Tenn. — Top civic-minded leaders of Tennessee will come together in a summit conference Saturday, Feb. 21, to discuss broadening their efforts to register all qualified Negroes in the state during 1959.

The conference is scheduled for 10 A. M. in the auditorium of Park Hall on the campus of Fisk University, in Nashville, Tenn.

The decision to have the conference is an outgrowth of a successful registration campaign in 1958 and the one now in progress in Memphis.

LEADERS OF the various state and local organizations, regardless of political views, have been invited to attend as the conference will be nonpartisan and non denominational.

High-ranking religious leaders are expected to add their contribution to the meeting along with those from labor, professional and social groups.

Some state leaders feel that it's not enough to have a large voting strength in just one or two places like Memphis, but every large city and county should more than double its present strength.

■

MEMPHIS HAS approximately 60,000 qualified Negro voters of which 13,000 were added last year in less than 90 days.

W. C. Patton, convener of the conference, says that it is expected that the branches of the NAACP will take the lead in expanding this registration effort.

Tenn. leaders join to register voters

NASHVILLE, Tenn. — Some 88 leaders from every county and Congressional district in the state met at Fisk University and organized the Tennessee Leadership Conference for Political Action.

The Rev. Charles F. Williams of Memphis was elected president of the body which was formed during a summit conference.

Primary purpose of the organization is to spearhead a state-wide voter registration campaign in an attempt to register every eligible colored voter in Tennessee by 1960.

The next meeting of the Tennessee Leadership Conference for Political Action has been scheduled for April 18 at Fisk.

It will work in conjunction with a South-wide objective to obtain three million registered colored voters by 1960.

* * *

BESIDES THE Rev. Mr. Williams, who is also grand master of Prince Hall Masons of Tennessee, an organization with 16,000 members, other officers are:

The Rev. W. A. Dennis of Chattanooga, vice president the Rev. L. A. Alexander of Knoxville, secretary; Allen Summers of Clarksville, assistant secretary; E. Z. Kelly of Nashville, financial secretary; James D. Walker of Memphis, treasurer; and Dr. Vivian Henderson of Nashville, research secretary.

W. C. Patton acted as temporary chairman and opened the conference.

On accepting the presidency the Rev. Mr. Williams urged "each delegate to return to his community and organize a registration campaign immediately.

* * *

DR. STEPHEN J. WRIGHT, president of Fisk, was the first to address the delegation. He declared that "no problem in the southern states is greater than registration and voting of qualified persons."

Other speakers included R. Bartley J. Campbelle, Nashville attorney; A. Maceo Walker, president of a Memphis bank and insurance firm; Mrs. Willa McWilliams, Memphis teacher and civic worker; Earl W. Davis, AFL-CIO political education representative from Richmond, Va.; S. W. Wilburn and R. B. Sugarmon, both of Memphis; and Z. A. Looby and R. E. Lillard, Nashville attorneys.

STATE VISIT SLATED

WASHINGTON — President Jose Maria Lemus of El Salvador is scheduled to make a state visit to America March 10-21. He will be accompanied by his wife and a number of high officials.

Negro Group In Tennessee Demands Vote

NASHVILLE, Tenn. (AP) — A delegation of Haywood County Negroes has protested to the State Election Commission that no members of their race had been permitted to register to vote in that west Tennessee county.

J. F. Estes, Memphis lawyer acting as spokesman for the six-member delegation, said Negroes had been given the run-around by the Haywood County Election Commission for the last two years.

"No Negro has voted in Haywood County since Reconstruction," he told the commisson. "There is no Negro alive who recalls he has ever voted."

Sam Coward of Livingston, state Election Commission chairman, told the delegation he would look into their complaint "and do something about it."

Estes said Negroes attempting to vote were told the country registrar had resigned and no one else had authority to open registration books.

He said the Negroes next asked the county commisson to desgnate a new registrar. Two members of the commission replied they had resigned, Estes said. The third member, he added, is dead.

Estes asked the commission to appoint a new county commission and order the registration books reopened so that Negroes could qualify to vote in the Aug. 6 county primary.

James Alexander of McKenzie, another member of the commission said it was too late to "do anything about registering before Aug. 6." He said state law requires registration books be closed 20 days prior to an election.

Estes said about 15,000 of Haywood County's 26,000 residents were Negroes. He said the delegation represented the Haywood County Civic and Welfare League, Inc. Members of the delegation declined to give their names.

Negro Bloc Voting In Memphis

ONE FACT seems to stand out clearly in last week's city election in Memphis, and that is that the Negro voters voted as a bloc. Their Negro candidate was defeated in spite of fears that several white candidates for city commission would divide the white vote and make possible the election of a Negro to public office in an important southern city.

Both white and Negro voters turned out in unprecedented numbers. Seventy-three per cent of the city's registered vote cast ballots. Of the 130,276 votes cast the Negro candidate received 35,268, though there are 57,109 registered Negro voters in the city.

It is estimated that 62 per cent of the Negroes went to the polls. The figures indicate pretty plainly that the Negroes as a bloc voted for a member of their race, though it is also evident that some white votes went for the Negro aspirant.

The evidence of aroused public interest in the election is a good sign. Never before had so many voters gone to the polls in a city election in Memphis, and the reason for it was naturally the actual possibility that with so many white candidates it would be possible for a Negro to be elected to the city commission as a minority choice.

TO REGISTER FOR NEWBERN VOTING

Members Of Present Board Have Qualified For Re-election

A three-day supplemental registration has been called by the Dyer County Election Commissioners for Thursday, Friday and Saturday of next week, October 22-24 inclusive, to qualify voters for the Newbern City General Election to be held on Tuesday, November 17.

All members of the present Board qualified for re-election. It was understood here today that they likely will have opposition, the deadline to qualify not expiring until Saturday of this week, October 17.

Members of the present administration are M. D. Johnson, mayor; C. Hays Hollar, J. N. Johnson, W. P. Murray, H. C. Newsom, J. F. Parnell and Douglas Rice, members of the board of aldermen.

Supplemental registration provides for registering of those who have changed their addresses since they last registered, women who have changed their marital status, those who have reached vovting age but have not registered, and those new residents who are eligible to vote, but are not registered.

Initiates Suit In Tennessee

WASHINGTON. — (UPI) — The federal government, in a precedent setting action, filed a suit Monday accusing Tennessee election officials of barring Negroes from voting in a primary election last August.

It marked the first time the government has used the civil rights law passed in 1958 to protect Negro rights in an actual election. Previous cases filed have been aimed at exclusion of Negroes in registering as voters.

The suit, filed by U. S. Attorney Rives A. Manker in U. S. district court in Memphis, charged that more than a dozen Negroes were turned away from the polls in a primary election of state and local officials in Fayette county, Tenn., last Aug. 1.

U.S. ACTS TO HALT 'WHITE PRIMARIES'

Tennessee Suit Asks Court to Void Democratic Curbs on Voting by Negroes

Special to The New York Times.

MEMPHIS, Nov. 16 — The Federal Government asked for a court order today to prohibit "white primaries" in near-by Fayette County.

The suit, filed under the provisions of the 1957 Civil Rights Act and the Fifteenth Amendment to the United States Constitution, accused the county Democratic executive committee and about thirty Fayette election officials of having prevented Negroes from voting in the primary Aug. 1.

The suit said that voting in the Democratic primary was the only effective means of helping select an officeholder in the county because a victory in the primary "is tantamount to election in the general election." Candidates for judge, sheriff and county trustee chosen at the primary will run in the general election of Aug. 1, 1960.

'Only White Democrats'

United States Attorney Rives A. Manker of Memphis, who filed the suit in Federal District Court here, said twelve Negroes had protested the way the Fayette primary was conducted. He forwarded their complaint to Washington where papers in the suit were drafted.

"They sent them down here and I merely filed them," Mr. Manker said.

The Negroes offered Mr. Manker a letter that quoted the Fayette County Democratic executive committee as telling polling officials "only white Democrats are authorized to vote in this primary."

The letter added:

"If any Negroes should ask to vote in your district, they are to be informed that this is a white Democratic primary and not a general election."

Mr. Manker said there are "no provision in the Tennessee statutes for such primaries.

"They really shouldn't be called primaries in the technical sense. Such a primary is not provided for by any statutes."

When state-wide candidates are involved, laws govern their selection, he said, but there seems to be no provision for candidates on a local basis.

All Can Run in Election

The federal attorney noted that "independents, Negroes or anyone else" who can qualify can run in the general election.

Hugh Preston Parks, Jr., chairman of the Fayette County Democratic executive committee, and Joe N. Cocke, committee secretary, declined to comment on the suit.

The Federal Civil Rights Commission said two months ago that charges of Fayette County Negroes, if proved, would violate state and Federal laws. The charges included intimidation by sheriff's deputies of two Negroes who wanted to vote and a threat of police retaliation against another.

The commission said that fifty-eight of the 8,990 Negroes of voting age in Fayette county, where Negroes account for 70 per cent of the population, were registered to vote.

U. S. Sues to Outlaw Primary Barring Negroes in Tennessee

The Wash. Post Washington D. C.
Dec. 1-27-59

By Richard L. Lyons
Staff Reporter

The Justice Department asked the Federal Court in Memphis, Tenn., yesterday to declare illegal and forbid repetition of an "all-white primary" allegedly held in nearby Fayette County last August.

The suit was the fourth to be filed under the 1957 Civil Rights Act which empowered the Government to initiate suits to enforce voting rights denied because of race.

In a related action yesterday, the Supreme Court agreed to decide the meaning of a key provision of the act.

Defendants in the Tennessee case were members of the county Democratic executive committee who ordered the primary held to select candidates for county offices. The Government's complaint contained a copy of the committee's resolution limiting voting to "white Democrats" and its notice to election officials stating that "Only WHITE DEMOCRATS are authorized to vote in this Primary. If any Negroes should ask to vote in your district, they are to be informed that 'this is a White Democratic Primary and not a General Election.'"

Fifteen years ago the Supreme Court ruled that the "white primary" is unconstitutional.

The Goverment's complaint said it has statements from 12 registered Negroes that they tried to vote and were turned down. The suit said that effectively prevented them from helping choose their county officials because no one except a Democrat has been elected in Fayette County since Reconstruction days. Justice Department officials said the Aug. 1 primary apparently was the first time Negroes had tried to vote in the county.

This was the first suit brought under the 1957 act to enforce voting rights, as distinguished from the right to register. When the Government tried to enforce registration of qualified Negroes in Georgia's Terrell County last year, a Federal district judge ruled the 1957 act was unconstitutional. The Supreme Court has agreed to review that decision.

When the Government later tried to stop alleged discrimination against Negroes by registrars in Alabama's Macon County, lower Federal courts ruled that the law, though constitutional, was too limited in scope to permit court action under the circuestances. It was this decision which the Supreme Court yesterday agreed to review.

In the Alabama case, the Macon County registrars had resigned after a run-in with the Civil Rights Commission at its Montgomery hearing last December. When the Justice Department filed its suit, it sued the registrars on grounds that they could not resign until replaced. But for good measure it also named as defendant the State of Alabama on grounds that it was responsible for actions of its agents.

Lower Federal courts ruled that the registrars could and did resign and that, since the statute did not specifically so provide, the Government could noe sue the State. The Justice Department has dropped its argument about the registrars. It has asked the Supreme Court to rule only that the act permits a suit against a state so that it can sure of having someone to sue.

In another racial case, the Supreme Court refused to hear the appeal of seven former Negro teachers at Moberly, Missouri, who said they were unconstitutionally deprived of their jobs when that community desegregated its schools.

The Moberly school board desegregated by absorbing the few Negro students into white schools and abolishing the positions of the 11 Negro teachers.

The school board agreed that it would have been unconstitutional to fire the Negro teachers because of their race. It contended that the new white teachers were better qualified. The United States Court of Appeals in St. Louis said it upheld the board's action because it could not say "with certainty" that in this discretionary matter the board acted in bad faith.

U.S. Files Memphis Vote Suit

The Atlanta Constitution
Atlanta, Ga.
Aug 1 1959

(Copyright 1959, The New York Times Co.)

MEMPHIS, Tenn. — Negroes were barred by reason of their race from voting in an Aug. 1 Democratic primary, the federal government charged in a suit filed here Monday.

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The suit, filed under the provisions of the 1957 Civil Rights Act and the 15th amendment to the Constitution accused the Fayette County, Tenn., Democratic Executive Committee and about 30 Fayette election officials of preventing Negroes from voting for a general sessions judge, sheriff and county trustee.

The suit also charges "that voting in the Fayette county Democraic primary affords the only effective means of the participation of a person to fill that office and the primary election is tantamount to election in the general election."

Candidates chosen in Fayette County will run in a general election set for Aug. 1, 1960.

U.S. Atty. Rives A. Maker of Memphis, who filed the suit in federal district court here, said 12 Negroes had protested the way the Fayette primary was conducted. He forwarded their complaint to Washington where he said all pleadings and complaints were drafted by the U.S. Attorney General's office "and they sent them down here and I merely filed them."

The Negroes offered Manker a letter that quoted the Fayette County Democratic Executive Committee as telling polling officials "only white Democrats are authorized to vote in this primary."

Map Mammoth Vote Drive In Memphis

W. C. Patton To Direct Campaign

MEMPHIS — A Memphis organization has mapped plans for a mammoth voters registration campaign which is scheduled to get underway Jan. 12.

Goal for the campaign has been set at 30,000 which would raise the total number of registered Negro voters in Memphis and Shelby County from 56,000 to 86,000. The campaign will continue for 90 days.

The campaign is being sponsored by the Citizens' Non Partisan Registration Committee which is composed of leading Democrats and Republicans as well as leading ministers, professional and business men and women aud outstanding civic workers.

The city-wide, door-to-door campaign will be carried on by volunteer workers. Chairman of the drive is Dr. I. A. Watson, jr., a young civic minded local dentist. It is being directed by W. C. Patton of Birmingham, Ala., who is widely known for his work in the south in the field of civil rights. He has conducted campaigns in other states, including Louisiana.

Plans are being made to solicit 1,500 volunteer block and precinct workers to go from door-to-door of the approximately 200,000 Negroes living in the city and county.

Many of the area's approximately 400 Negro ministers have agreed to build sermons around "voting and being good citizens" in connection with the registration drive. The sermons are to be delivered Jan. 11, which has been designated "Citizenship Sunday" by the Citizens' Non-Partisan Registration Committee.

Assuming a lot of the burden of carrying on such campaign are 65 ward leaders and precinct captains in wards with heavy Negro population.

Patton said Memphis registered the highest percentage of Negro voters prior to this fall election, than any other southern city. He headed a registration campaign in Memphis last summer. Approximately 15,000 persons were registered under his directorship.

White politicians in Memphis are expected to pressure the 1959 State Legislature into passing laws to tighten registration requirements, a move to further weaken the political strength of the Negro. Presently, the only requirement to register in Tennessee is to answer a few general questions.

The Citizens' Non - Partisan Voters Registration Committee is headed by Rev. W. L. Varnado, an outstanding Baptist minister. Meetings are held in the assembly room of Universal Life Insurance Company, one of the country's largest Negro insurance companies.

Drive To Register Voters Criticized

County Officials In Favor But Ask Orderly Way

County officials yesterday expressed the desire that solicitation in Courthouse corridors to register for voting be conducted in an orderly manner.

David N. Walsh, chairman of the County Commission, said citizens coming to the Courthouse to get drivers' licenses have complained they are being pressured by solicitors roaming the corridors.

"We are anxious to get every eligible citizen to register to vote, and we will be glad to cooperate with any group which wants to assist, just as we do each year with LeBonheur in the sale of Memphis stickers," Commissioner Walsh said.

"But we feel citizens who come to the Courthouse to transact business should be able to do so without harrassment.

"We will be glad to provide a convenitnely located desk for any group which wishes to solicit registrations, and we will ask that the workers operate from the desks rather than chase up and down the halls pressuring people.

"In the meantime, we are requesting that solicitors who have not made arrangements discontinue solicitation inside the Courthouse."

He said bonafide groups can make arrangements through the Courthouse custodian, Gene Bursi.

Since operators' licenses went on sale June 1, Negro women have been working in the south corridor on the second floor of the Courthouse urging Negroes to register to vote if they have not already registered.

The Permanent Registration Office is on the first floor of the building. Office hours are 8:30 a.m. to 5 p.m., Monday through Friday.

Memphis Whites Frantic To Prevent Negroes From Winning Big Elective Posts

MEMPHIS, Tenn.—The solid non-partisan front put up by the leaders of this city's 60,000 Negro voters has the "leading white folks" wiggling and wobbling to try to find a way to prevent a Negro from being elected to an important office in Thursday's election.

Negro voters in Memphis have been politically conscious for years. They threw their weight around under the late Bob Church and when his mantle fell to George Washington Lee, they continued to raise their hands when the teacher asked for an answer.

But the answer which they propose for next Thursday, even though correct, is one the whites don't like.

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NEGRO VOTERS and their white friends propose to elect one of their own, Russell Sugarman, as a member of the Public Service Commission.

Mr. Sugarman has a good chance to be elected because there were five whites running against him for the post.

When the whites discovered their "predicament," they tried all sorts of tricks to turn the Negro around.

They couldn't keep the Negro Republicans and the Negro Democrats from working together.

Then they begged the Negroes to hold off, saying, "The time ain't right." The Negroes replied that they had heard that bosh before.

Finally, somebody thought up the cute one of giving Negroes an innocuous position such as assistant city attorney—with nothing to do. The judge of the Juvenile Court said, "Why, yes, I'll appoint a Negro attorney to a job in my court."

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BUT GEORGE LEE retorted: "It's too late for that stuff, lady. We're not playing for singles, we want home runs."

The trump card of the whites was to induce one or more of the white candidates to drop out. By week-end they had succeeded in eliminating the best white candidate, William Fowler, a man with long experience as an engineer in the Public Service Department. Fowler decided to stick to his present job.

Thus Sugarman went into the new week facing four white candidates instead of five. A survey conducted largely among white voters showed Sugarman running a strong second.

"I just hate this 'time ain't right' stuff," George Lee told his Republican and Democratic aides at headquarters Sunday.

Election in Memphis worries segregationists

MEMPHIS, Aug. 20—(AP)—Segregation forces jittered today as voting machines began clicking toward a total that might elect a Negro to city office.

For the first time in the history of this deep South city, Negro candidates loomed large in two races —public works commissioner and juvenile judge.

Negro leaders prayed for rain, which could increase the Negro turnout by stopping cotton picking in surrounding areas. Many Memphis Negroes make daily trips to nearby fields during the picking season.

THE POLLS opened at 8:30 a.m. (CST) in the 143 precincts and were to close at 7:30 p.m. There were 187,541 registered voters, 57,109 of them Negroes.

Voters, both whites and Negroes, were waiting in line when the polling places opened, indicating a heavy vote.

The weather favored early voting. Scattered thunder showers were forecast for the afternoon and evening.

Good weather was expected to favor the white candidates for the tightly organized Negro campaigners were expected to get their supporters to the polls rain or shine.

The campaigns closed out last night with a final flurry of radio and television talks and rallies. Newspapers blossomed with political advertisements.

In the crowded public works commissioner race, Russell B. Sugarmon Jr., a Harvard-educated Negro lawyer, was given an almost even chance of victory.

Sugarmon, 30, ran against four white candidates. His chances depend on his pulling a strong Negro bloc vote while his opponents split the white vote. But he claimed some white support.

"WE HAVE HAD numerous calls from white persons who felt our cause is just and who believe that qualifications, not prejudice, should be the basis of selecting men for office," he told a final rally.

The Rev. Ben L. Hooks, an attorney and preacher running for judge of juvenile court, urged Negroes to "miss those cotton trucks tomorrow and go vote."

"Freedom is more than money," Hooks cried. "Better to be broke and hungry and be free than to have money in the pocket and food on the table and be a slave."

Sugarmon's chances of victory were diminished recently when one of the strongest white candidates, Will Fowler, quit the race to lessen the vote split.

OTHER WHITE candidates rejected appeals that one more man drop out of the race.

One of them, Sam E. Chambers, said he received a threatening telephone call from a man who identified himself as a member of the "Confederate underground."

Chambers quoted the caller as saying: "If you don't get out of this race and that nigger is elected, we'll bomb you and every member of your family."

He shrugged off the threat as a prank or the work of a crank. Others in the public works race were J. E. Canale, W. W. Farris and S. A. Hawkins.

NEGROES HAVE run for office here before but none ever came close to winning, or expected to. This campaign has been different.

Denial Of Vote Rights In Tenn. County Charged

NASHVILLE, Tenn. (UPI)—An attorney told the state Elections Commission Monday that Negroes are being denied the right to register as voters in predominantly Negro Haywood County.

The attorney, J. F. Estes of Memphis, said that Negroes who apply for registration are told that two county election commissioners have resigned. The third has died, he said.

The state election chairman, Sam Coward, expressed surprise. State commission records show no resignations of Haywood County members and Coward said as far as the state group knew "all the Haywood members are alive and serving." He said the matter will be investigated.

Haywood County was the scene of the fatal shooting last Friday of veteran Sheriff John S. Hunter, slain while trying to serve a non-support warrant on a Negro man.

The man, Willie Melvin Jones, 49, was moved from the county jail at Brownsville to Memphis when an angry crowd gathered after his arrest.

Estes, appearing to lodge formal complaints about Negro voting in the west Tennessee county, asked for appointment of a new Haywood County election commission. Without a functioning commission, he said, he does not see how a county Democratic primary Aug. 6 can be held.

He said apparently no Negroes have voted in Haywood County since Reconstruction days. An investigation showed "there's no Negro alive who recalls that he ever voted" in Haywood, Estes said.

Daisy Bates To Address $10-A-Plate Dinner For Volunteer Ticket, Friday

MEMPHIS, Tenn. — (SNS) — The women of Memphis are taking an active part in the all-out campaign for the Volunteer candidates—Sugarmon, Hooks, Bunton and Love.

Scores of women are selling tickets at $10 a plate to the Freedom Banquet which will be held Friday night, Aug. 14, at 8 o'clock in the Club Ebony, 500 Beale.

Banquet speaker will be the celebrated Mrs. Daisy Bates of Little Rock, Arkansas. C. C. Sawyer, local businessman, is banquet chairman.

Top Hat and Tails Club, composed of prominent Memphis men, has agreed to be responsible for 200 tickets.

Sawyer said 1,000 tickets have been printed and he is optimistic enough to believe that all of these tickets will be sold. Proceeds from the banquet will help pay campaign expenses for the four candidates.

The busy candidates, who are conducting hectic campaigns night and day, also will appear on the banquet program. Atty. Russell Sugarmon, Jr., is in the race for Public Works Commissioner; Atty. Ben Hooks is running for Juvenile Court Judge, and the Revs. Henry Bunton and Roy Love are seeking school board posts.

The women's Committee staged a big rally last Saturday night. They visited shopping centers and distributed campaign literature.

Two other programs are being mapped for the women of the city. One calls for more than 1,000 ladies to march through various sections of the city on the eve of the election. They will visit homes and urge Memphians to get out and vote.

Another plan is the making calls for a Dawn Prayer of more than 10,000 people on the morning of the election. Memphians will be asked to go to their various churches and pray, and then march to the polls and vote.

U.S. Suit Charges Exclusion Of Negroes at Tennessee Polls

New York World-Telegram and Sun
New York
11/16/59
P&E

United Press International.

WASHINGTON, Nov. 16.—The federal government, in a precedent-setting action, filed a suit today accusing Tennessee election officials of barring Negroes from voting in a primary election Aug. 1 of this year.

This marked the first time the government has used the Civil Rights Act, passed in 1958, to protect Negro rights in an actual election. Previous filings have concerned exclusion of Negroes from registering as voters.

The suit, filed by U.S. Attorney Rives A. Manker in U.S. District Court in Memphis, charged that more than a dozen Negroes were turned away from the polls in a primary election of state and local officials in Fayette County, Tenn.

'White Primary.'

The complaint charged that about 30 election officials and the Fayette County Democratic Executive Committee held a "white primary." It said their refusal to let the Negroes vote "was based solely on the race or color of the Negroes" in violation of the Civil Rights Act and the 15th Amendment to the Constitution.

About five weeks before the election, the government said, the defendants adopted a resolution excluding Negroes and placed a letter in each ballot box instructing officials to prevent Negroes from voting.

"Only white Democrats are authorized to vote in this primary," the letter was quoted as saying. "If any Negroes should ask to vote in your district, they are to be informed that this is a white Democratic primary and not a general election."

'Only Effective Means.'

The complaint said the Fayette County Democratic primary affords "the only effective means of participating in the choice of the person to fill . . . office because victory in such a local primary election is tantamount to election in the general election."

Local Democrats have been unopposed in Fayette County general elections since Reconstruction days, government officials said.

The government asked the court to order election officers and the county Democratic executive committee to allow Negroes a vote in the future. Refusal to comply with such a court order could result in a contempt of court charge which carries a penalty of $1000 in fines or six months in jail or both.

The Justice Department's civil rights division drew up the suit following a complaint from Negroes in the county. The Federal Bureau of Investigation also investigated the primary.

U. S. Tennessee Suit Asks Vote For Negroes

The Courier-Journal
Louisville, Ky. 34 Tenn
11/17/59

By The United Press

Memphis, Nov. 16.—The Justice Department filed suit in Federal Court Monday asking an order to stop the practice of holding "for-white-only" Democratic primaries in Fayette County, Tennessee.

The complaint, filed by United States District Attorney Rives Manker, included a letter from the Fayette County Election Commission to poll officials reading:

"Only white Democrats are authorized to vote in this primary. If any Negroes should ask to vote in your district, they are to be informed that this is a white Democratic primary and not a general election."

Say Vote Refused

The court action was requested by about a dozen Negroes who claimed they were turned away from the polls in the county primary August 1.

The Negroes, all Democrats, claimed they were, in effect, being denied a voice in selection of County officials "because victory in such a local primary election is tantamount to election in the general election."

The primary selected candidates for sheriff, County trustee, and general-sessions judge to run in the general election next year. Manker stressed that no state-wide offices were involved.

"When state-wide candidates are involved there are certain statutes governing their selection," he said, "but there seems to be no provisions for candidates on a local basis—such as the county, in this case."

Could Bring Charge

The Government asked the court to order the Democratic executive committee to allow Negroes to vote in County primaries in the future.

Refusal to comply with such court order could result in a contempt-of-court charge, which carries a penalty of $1,000 in fines and/or six months in jail.

Large Vote Registration in Tennessee

Negro Vets Push For State Bonuses

MEMPHIS, Tenn.—The permanent registration office in Memphis' Shelby County courthouse was swamped with Negro veterans registering to vote. This is largely the result of a campaign to get a state bonus bill passed for World War I, World War II and Korean veterans.

Veterans Benefit of America is conducting a campaign to get 20,000 veterans with honorable discharges to sign a petition requesting the State Legislature to pass a state bonus bill for Tennessee veterans.

TENNESSEE IS ONE of the few remaining states in the United States which has not paid a bonus to veterans of any wars. Several of the states which have not paid bonuses are Mississippi, Arkansas, Alabama, South Carolina and Georgia. These states are largely the Confederate stronghold which doesn't want to make payments to the large Negro veteran population.

The bonus bill is the House of Representatives Bill No. 832, by Representatives Dyer, Fancher and Clark. Section 3 provides for any veteran, a legal resident of the State of Tennessee, to receive the basis of $10 for every month of active duty in the United States and $15 for every month of active duty outside of the United States, in the military or naval forces of the United States or of any of her allies.

THE STATE BONUS covers veterans of World War I, World War II and the Korean war. The bill further provides that no veteran shall be entitled to receive compensation under this act in a sum exceeding $500, unless he served in two wars, in which instance no veteran shall be entitled to receive compensation under this act in a sum exceeding $800.

Atty. James Franklin Estes is president and general counselor of the Veterans Benefit of America, and Nathaniel Hendrix is state chairman for the registration and bonus campaign.

167,390 Register To Vote In August

49,611 Of Total Are Negroes —Deadline July 21

There are 167,390 registered voters eligible to participate in the municipal election Aug. 20. That total includes 49,611 Negro registrants.

For Memphis and Shelby County, the total is now 194,795, including 57,847 Negroes, and is well below the record 210,308 of November 1956, a presidential election year.

There were 86,370 votes cast in the 1955 municipal election.

Lester Brenner, secretary of the Shelby County Election Commission, explained that citizens may register through July 21 to vote in the Aug. 20 election. July 21 also is the qualifying deadline for candidates.

The registration office is on the ground floor of the Courthouse and its hours are 8:30 a.m. to 5 p.m., Monday through Friday. Those who wish to miss long lines that may develop there later may do well to register now.

Results Studied In Voting Inquiry

U.S. Attorney's Office Gets Lauderdale County Data

Results of an FBI probe into claimed voting irregularities in Tennessee's Lauderdale County have been turned over to the United States district attorney's office here for further study, Dist. Atty. Millsaps Fitzhugh disclosed yesterday.

Mr. Fitzhugh declined to comment on data supplied by Federal Bureau of Investigation agents. He said merely: "We expect to finish our study pretty soon."

After completing the study, Mr. Fitzhugh will forward his recommendations to the Civil Rights Section of the Justice Department in Washington. The recommendations will determine whether legal action is taken.

Memphis Federal Judge Marion Boyd on April 5 ordered the impoundment of ballots and other voting records at Hensing and Shoaf's Island. He issued the order after Asst. Dist. Atty. Edward Vaden reported a preliminary investigation by the FBI had turned up evidence indicating "widespread irregularities." It was claimed the offenses took place in voting on Federal offices in the 1958 Democratic primary and general elections.

Women's Topics For Study Listed

Voters' League Convenes In Chattanooga

Reapportionment and education will be the state-level study topics for the League of Women Voters of Memphis, members were told yesterday.

The topics for all member units of the State League of Women Voters were chosen at a recent state convention in Chattanooga. The state topics will be in effect two years.

Mrs. Robert C. Wilson, president, and Miss Alma C. Hanson, delegates to the state convention, reviewed convention events for the Memphis league at a meeting at the Unitarian Church. Their visit to a sewerage treatment plant near Chattanooga was recapped since the Memphis league is now studying water pollution.

Plans were announced for unit meetings in May on foreign policy studies and in June on voter registration efforts.

The league was incorrectly identified in an article in The Commercial Appeal Thursday as a Negro group. It is a community-wide organization.

Registration Fraud Brings Prison, Fine

11-Month, 29-Day Term Is Given Negro Woman

A guilty plea to fraudulent permanent registration last November by Mildred Mayfield Liggins, 31, of 2390 Cable, brought the Negro woman yesterday an 11-month, 29-day sentence and $50 fine.

The sentence given by Criminal Judge Perry Sellers will be served at the same time as two consecutive five-year penitentiary terms received on guilty pleas to forgery.

Asst. Atty. Gen. Arthur Faquin Jr. said the woman had registered 10 times under different names to obtain permanent registration cards for voting. She was charged with only one fraudulent registration in yesterday's hearing.

Numerous forged checks used for purchase of merchandise in stores here totaled

'White Primary' Results In Suit

Government Seeks To Make Fayette County Let Negroes Vote

By THOMAS MICHAEL

The Federal Government filed a suit in Federal Court here yesterday to make Fayette County, Tenn., election officials let Negroes vote in county primaries.

The suit, filed by the Civil Rights Section of the Justice Department, attacks two Fayette County Democratic committees for holding a primary last Aug. 1 designated as a "White Democratic Primary." They are the Fayette County Democratic Executive Committee and the Central Committee of the executive committee.

Two Violations Seen

Holding such a primary, the suit sets out, violates both the Civil Rights Act of 1957 and the Fifteenth Amendment—the one that outlaws discrimination by reason of race or color.

The remedy asked is enjoinment of the committees and members against excluding Negroes from county primaries in the future, plus a declaration of the rights and duties and legal relations of the parties.

The suit is based on a resolution by the executive committee, adopted last June and widely circulated in the county, stating that the primary coming up Aug. 1 was strictly a white primary.

Sent To Voting Places

The resolution was followed by a letter signed by Joe N. Cocke as secretary of the central committee repeating that the primary was for whites only, and stating in part:

"If any Negroes should ask to vote in your district, they are to be informed that this is a White Democratic Primary and not a general election. Any further questions . . . should be referred to me."

This letter was sent to all voting places along with the ballot boxes, according to the bill. A copy of the letter is attached to the bill.

The bill was filed by James M. F. Ryan Jr., acting assistant attorney general in Washington; and U. S. Dist. Atty. Rives Manker of Memphis.

sient Commission, E. A. Looby; Hospital Commission, H. H. Walker; Auditorium Commission, C. L. Ennex; Housing Commission, I. L. Moore; Board of Education, C. L. Ennex; Building Inspector, H. Gordon; City Beautiful Commission, Mrs. Eva Bowman and Cleo Darden; Board of Census, L. J. Weems; City Council Z. A. Looby and Robert Lilliard; Chief Taxie Cab Inspector, Edward C. Dawson. It might be added that this Inspector inspects Taxi Cabs without regard to who the owner or driver might be.

Negro students are regularly enrolled in classes in the University of Tenn., in Vanderbilt School of Religion. Scarrett and Peabody also accept non - white students.

By the same token white students are enrolled at Fisk University and the Schools of Agriculture and Engineering in Tenn. A. & I. University.

There are no "Jim Crow signs (even small ones) differentiating the Services of any facility at the Airport.

The Ministers of the City are members of Interdenominational and Interracial Alliance.

No discrimination on buses or golf courses.

Wise Use Of Vote Strength Pays Off In Nashville

BY JESSE O. THOMAS

The population of Nashville is roughly divided as follows: 200,550 white citizens and 59,050 Negroes.

As one talks with the leading Negro Citizens of Nashville, Tenn., he gets the impression that the bargaining strength of the ballot is wisely used by those in political leadership positions. There are few, if any cities in this section of the nation where there as as many Negroes serving on as many important Committees in different Departments of City government, as is true in this Tennessee educational center.

There are one or more Negroes serving on the following Commissions or Boards: Metro - One Government; Alford Galloway, George Meadows and Z. A. Looby; Plan-

'Thinking Negro' Speaks On Coming Election

Vote Conviction, Not Your Race

Asks Careful Considera- tion Of All Issues

TO THE Commercial Appeal:

In the coming election there are some important Negro candidates seeking important offices. A lot of voting Negro citizens will be asked to vote for people of their race, and to help put them in office.

I am an American Negro and I have faith in the Negro race as a whole. I am not going to vote for a man of my race that I think is unfit just because he is a Negro.

I am not going to vote for a candidate for the simple reason he has the NAACP's approval and blessings. I ask every Negro to weigh out every candidate, Negro and white, and vote for the one in which you believe.

Go to the polls with a clear conscience. For if your thoughts and your mind are filled with prejudice when you cast your ballot, your children will be the ones to suffer.

I hope you will think carefully about each issue in the coming election: Think about which of the candidates can help you and yours.

THE THINKER
Memphis, Tenn.

Suit Filed To Halt Barring Negroes At Tennessee Polls

MEMPHIS, Tenn. (AP) — The Justice Department filed a federal court suit here Monday aimed at halting the alleged barring of Negroes from voting in adjoining Fayette County.

The history-making action challenged the validity of what it called an all-white primary held in Fayette last Aug. 1. It said Negroes were openly barred and that some were turned away from the polls by election officials.

The suit, filed against the Fayette County Democratic Committee, was the first brought under the 1957 Civil Rights Act dealing with discrimination in the conduct of an election itself. Three previous suits, in Alabama, Georgia and Louisiana, dealt with charges of discrimination in voter registration.

The Memphis action asked the court to enjoin the committee from preventing Negro participation in primary elections for local office.

COMPLAINT FILED

Acting U.S. Dist. Atty. Gen. Rives Manker filed the complaint after a group of Negro voters claimed they were refused permission to vote in the primary for three local offices.

Manker said notices sent to poll officials by the county Democratic Executive Committee stated specifically that "This is a white Democratic primary."

"This has gone on up there for many years," Manker said. "It was all out in the open. They were not trying to hide anything."

Neither Preston Parks, chairman of the committee, nor its secretary, Joe N. Cocke, would comment immediately. They said they would have to study the action first.

The government held that Democratic nomination in Fayette County amounts to election. No other party has offered a candidate for local office there since Reconstruction days.

Crackdown On County's Voting Bias

By BURLEIGH HINES

"From now on it's wait and watch," said Atty. J. F. Estes, staunch fighter for Negro rights, when asked what follows the suit filed by the Justice Department in the Fayette County mess whereby Negroes in the area have been refused the vote.

With due regard to the FBI, the Civil Rights Commission and the Justice Department, which filed the suit in Memphis on Nov. 16, Attorney Estes, more than any other man, is responsible for the action. It was through his eloquence as a speaker and skill as an attorney that Negroes in the now troubled County have awakened to and take proper places in the political workings of the area.

The present suit grew out a series of incidents that started with a speech Mr. Estes gave at the Mt. Zion church in Fayette County in 1958, Obviously impressed by the lawyer's straight forward manner of delivery, two of the deacons of the church, Morgan Wright and Joe Patrick, approached Mr. Estes and asked him to see what he could do about their voting rights. They told him to intercede for them to see what was the reason they were refused the right to register in the County.

Atty. Estes went into action, writing the Registration Commission to request that the men be registered. The request was granted and in the Fall of 1958, 14 Negroes were registered. Twelve of these men were veterans, from Mr. Estes group, with which he works very closely.

The registration went smoothly enough but as voting day neared, one of the Negroes, a farmer, was approached by his banker and told that he feared for the Negro's safety if he planned to exercise his rightful voting privilege. He feared serious repercussions for the Negro if he cast his ballot.

The banker, Mr. Estes said, told the farmer that he was speaking to him as a friend and didn't want to see him get hurt. They spoke for about an hour. The farmer, Mr. Patrick, called Estes and told him what had happened. Mr. Estes said the men did not vote, with the exception of one, who doesn't know whether his ballot was counted or not.

A complaint was filed with the Civil Rights Commission by Atty. Estes. He said probably the other men were approached in the same manner with regard to serious reprisals if they voted.

MURDER TRIAL

It wasn't until 1959 when Mr. Estes was retained by the Dodson family to defend Rev. Burton Dodson on a murder charge in Sommerville, Tenn., in Fayette County, that the Negroes resumed their fight for the vote.

Negroes in the area were amazed when they saw the tall, erudite Estes questioning the white "bully boys" that had scared them so much. They saw the toughs fumbled and cowered. In fact, it was the first time a Negro lawyer had ever presented a case in Sommerville.

They heard Atty. Estes ask the proposed jury men — he interrogated some 80 whites — if they were prejudiced toward Negroes voting. The surprised Negroes who jammed the court house heard the whites in an overwhelming majority, say that they had no qualms whatever about Negro voters. They didn't care if Negroes voted or not, they said.

Seeing whites shudder before the Negro attorney and hearing how they felt on the Negro voting situation, Negroes, on the first Wednesdays in April and May of 1959, registered to a total of upwards of 500.

The Fayette county political leaders, noting this tremendous awakening of Negro courage, closed down the registration office rather than register any others.

A barrage of complaints, the second, was filed with the civil rights commission, thus setting off a series of hearings and interrogations in the area.

The registration commission, Atty Estes said countered this move with evasive tactics during the months of June and July, 1959. Atty. Estes said when it came to registering the Negroes, the officials, some women, would suddenly get tired and have to close the office.

The officials would complain of ills and troubles, slowing the registering process so that in the space of an hour, perhaps two or three Negroes would be able to register. The Negroes, undaunted, stood for hours in lines at the office throughout the county. They were determined to register.

Even with the evasive tactics the figure of registered Negroes swelled to over 750.

Finally Secretary of the Commission Joe N. Cox penned a letter to the registration offices with instructions to keep Negroes from voting in the August Democratic primary. Atty. Estes was called. He came to Sommerville. Mr. Cox could not be reached.

Atty. Estes said he talked with registration officials who seemed perplexed about their duties. One official, a woman, according to Mr. Estes, said "I'm not going to keep these people from voting and get in trouble with the Federal government." But Mr. Cox still had to be found and when he was found, instead of talking the situation out with Mr. Estes, he hung up the phone, ending the interview.

START LEAGUE

Several Fayette county citizens came back to Memphis with Mr. Estes and, upon his suggestion, the Fayette County Civic and Welfare League was established, The citizens got their charter and set up civic clubs throughout the country. They implemented legal action against the Registration Board of Fayette county with Atty. Estes as their legal counsel.

They decided to go straight to the Justice Department in Washington, D. C. This was approximately August 15.

The Justice Department notified the FBI and an investigation began, under the direction of Frank Holloman, local chief. But a clinker was thrown into the investigation when a native son of Fayette County was included in the FBI crew who was supposed to do the fact finding. One the first Wednesday in September, 1959, the Registration Commission, statisfied that their "case was in good hands" refused to even let Negroes register at all.

Atty. Estes sent a letter to Mr. Holloman telling him about the Commission's action and urged prompt investigation of the matter as an election was planned for November. Mr. Estes said Mr. Holloman took up the case himself and did an excellent and commendable job, finding voting rights had been denied as per Estes' letters.

POSTPONED ELECTION

The Registration Commission and the political leaders countered this move by postponing the November election and re-setting it for 1960.

In October and November Negroes once again flocked to the registration offices in the county and now over 1,000 are registered out of the 8,000 of registration age.

But still Negroes had been denied the vote in the August primary and Mr. Estes thinks the Justice Department has a "strong case." Complaints have been formally filed along with enlightening affidavits as to the August situation.

Fayette county, with approximately 70 percent Negro population, waits with anxious hearts for further word from the Justice Department.

Fisk U. Site Of Feb. 21 Meeting

MEMPHIS — Top Civic minded leaders of Tennessee will come together in a summit conference Saturday, Feb. 21, to discuss broadening their efforts to register all qualified Negroes in the state during 1959.

The conference is scheduled for 10 a.m., in the auditorium of Park Hall on the campus of Fisk university, in Nashville, Tenn.

The decision to have the conference is an outgrowth of a successful registration campaign in 1958 and the one now in progress in Memphis, Tenn.

Leaders of the various state and local organizations regardless of political views have been invited to attend as the conference will be non-partisan and non-denominational.

High ranking religious leaders are expected to add their contribution to the meeting along with those from labor professional and social groups.

Some state leaders feel that it's not enough to have a large voting strength in just one or two places like Memphis, but every large city and county should more than double its present strength.

Memphis has approximately 60,000 qualified Negro voters of which 13,000 was added last year in less than 90 days.

W. C. Patton, convener of the conference, says it is expected that the branches of NAACP will take the lead in expanding this registration effort.

Memphis plans a huge vote drive

MEMPHIS, Tenn. — The Citizens' Non-Partisan Registration Committee has mapped plans for a mammoth voter registration drive here scheduled to get under-way on Jan. 12 with a goal of 30,000 colored persons to be registered.

The drive, to be sponsored by leading Democrats and Republicans as well as ministers and civic leaders, will be conducted for 90 days in a door to - door campaign carried on by volunteer workers.

Dr. I. A. Watson Jr., a Memphis dentist, is chairman of the campaign. W. C. Patton of Birmingham, Ala., is director of the drive. Mr. Patton has directed similar drives in other Southern states.

PLANS ARE currently being made to solicit 1,500 volunteer block and precinct workers to canvas from door-to-door colored persons in the city and county.

Many of the approximately 400 ministers in the area have agreed to build sermons around voting in connection with the registration drive.

In line with the campaign, Jan. 11 1959 has been designated "Citizenship Sunday" by the sponsoring committee.

"Memphis registered more voters prior to the November elections than any other Southern city," Mr. Patton said.

* * *

A REGISTRATION campaign headed by Mr. Patton here last summer ended with 15,000 persons being registered.

The committee said it expected Memphis politicians to pressure the 1959 state legislature into passing laws to tighten registration in light of the drive.

The committee is headed by the Rev. W. L. Varnado, a prominent Baptist minister.

Memphis Negro Voting Heavy

100,000 Vote Seen In Hot 'Race' Polling

MEMPHIS, Aug. 20 (UPI)—Negro voting was heavy but the balloting was slow city-wide today in Memphis' municipal elections, featuring a bid by Negroes to capture major city offices here for the first time since reconstruction.

There was a lengthy ballot with 42 candidates vying for 14 offices. Although voting machines were in use, there were long lines of voters waiting at many of the city's 143 precincts.

Officials said anyone waiting in line at the time the polls closed would be allowed to vote. Thus delay in counting was forseen.

Campaigning was intense on behalf of five Negro candidates, and Memphis—long the stronghold of a dominant political organization of the late E. H. Crump—faced the situation of an overcrowded field of white candidates opposed by a bloc-voting Negro minority.

Interest was centered on a bid by Negro Atty. Russell Sugarmon Jr., 30, to win election as city public works commissioner. He was the only Negro on a list of six candidates and observers conceded him a strong chance.

There were appeals by many Memphis political and civic leaders for the white candidates in the race to thin their ranks. Only one withdrew, however, and too late to get his name off the ballot.

Negroes, making up a third of the population of this mid-South cotton capital, held all-night prayer meetings last night to climax fervent campaigns on behalf of their candidates. One other Negro, the Rev. Ben L. Hooks, was conceded a good chance of election as juvenile court judge. He was the only Negro in a field of five.

There were 57,109 registered negro voters in the city total registration of 187,541. Observers predicted a record 100,000 vote turnout.

During the afternoon, Sugarmon charged efforts were made to "steal the election." City election officials promptly denied the charge and reported no irregularities.

Sugarmon said Negro poll watchers, employed at many precincts for the first time, had reported "enough incidents to file complaints." For one thing, he said, precincts in Negro districts were undermanned, causing delays in voting.

Is Your Name In The Book? The Registration Book We Mean

Nashvillians who hold any doubt that their names may be stricken from the Davidson County voters list should go down to the Court House and inquire. The registrars office is on the ground floor.

Even though you may think you are registered many persons who do not vote regularly may learn too late that their names have been taken off the list.

The registration committee of the NAACP is now conducting a campaign to get every adult person qualified to vote in the coming spring election. Lafayette Love is in the process of organizing every precinct in Nashville for the National Association for the Advancement of Colored People. Any person interes'ed in contributing to the improvement of our city may contact him at ANdrew 3-5364

Registration Closes APRIL 24.

Appeal To "Keep Negroes Out" Wins Large Majority

Vanquished Host Believes They Will Have Better Chance Next Time; Warned Not To Disclose Their Plans Too Soon And Allow Enemy To Make Successful Appeal To Race Prejudice

Negroes in Nashville have for many past years poked fun at the tremendous Negro population in Memphis and concluded that the Memphians just didn't know how to organize their voters and deliver them to the polls.

But in reality as ample investigations have shown following a Crump controlled election in the Bluff City, the success of the machine in all elections has depended upon controlling the Negro vote in many devious ways.

But a week ago the Memphis Negroes thought they saw a bright opportunity to establish for themselves a record—a record such as they had not had since the days of Reconstruction.

What the Memphians counted upon was that they could make an appeal to Negroes to unite and go to the polls and vote and that white voters would not pay very much attention to these appeals.

But the Memphis whites knew that all they had to do to control elecitons in Memphis was to fight the evil of "restruction and to picture in their newspapers what an awful plight would overtake Memphis if any of the Negro candidates got elected.

The trick worked for the whites quite famously. The Negro candidates chased all of the white candidates in "ahead of them." There was not a close contest among the different races. Negroes had to be content with the claim that they won everything "but the election."

They won a reduction of the number of candidates contesting for the vote of the electorate.

2. They forced the unbeatable candidate for Mayor to come out and boldly champion the candidacy of one of the candidates for the Board of Commissioners.

3. They had the staisfaction of electing a man Negroes liked against a politician who had gotten in bad with a large segment of the Negro population.

The Memphis Negro leaders profess to be so elated with the outcome of the election that they will promise to do better next time. They will aim to get 100 per cent turn outs of voters in the Negro Wards. They got only a little better than 60 per cent in Tuesday's election.

They do not tell how they expect to overcome the certainty of an appeal to "keep the Memphis government white." That slogan is a winner in heavily Negro populated Memphis, Tenn.

Nat D. Williams appears to be an amused commentator on Memphis municipal election. Writing in the TRI-STATE DEFENDER, leading Negro publication and largely owned by the CHICAGO DEFENDER the Memphis paper makes a leading article on the election by Nat D. Williams.

Williams got his inspiration as a newspaper man and a humorist while attending Tennessee A&I State college during the administration of President W. J. Hale and while Dr. George W. Gore was a dean and teacher.

The galaxy of capable newsmen at A&I then included such notables as Nat D. Williams of Memphis and "Ted" O. Poston of Hopkinsville, Ky. "Ted" is now in the "big time" in New York City.

Nat D's punchline in his article on the Memphis election reads as follows:

"Well, the tumult and the shouting have died, the captains and kings have departed. The city election in Memphis, on the Mississippi for this year of Our Lord, 1959, has been decided. The hitherto vociferous Volunteer Committee on Beale street, has left headquarters on Indigo Lane largely deserted an quiet . . . and black, brown and biege thereabouts are studying a new shade of the blues. A lot of Negro elusions and illusions are dead!"

Nat D. holds that the Volunteer Committee, the party name of the Negro party for the city election, didn't consider the strength of the white majority from whom they sought to wrest control of city elections. This white majority rallied to the call to "keep the Negro out of the government of Memphis."

But according to Nat D. Williams Memphis Negroes gained a higher status among freedom fighters everywhere.

Newsman Williams says that the Volunteer Committee members announced their strategy and plans too long before election day, thus giving the opposition time to concentrate on one winning slogan, **"Keep the Negro out of the Government of Memphis."** It was a race appeal strictly and is good for producing white unity at the polls, whether in the North or the South.

Gov. Thomas E. Dewey realized how potent could be a race appeal against a Negro candidate even in New York ten years ago. He took an interest in redistricting the city of New York constituting a Congressional district overwhelming colored. From that district has come Congressman Adam Clayton Powell.

The Hon. Ben West saw the problem of a Negro running for the city council. While state senator, he constituted councilmnic districts in both North and South Nashville so overwhelming in Negro population that it has been very easy for Councilmen Z. Alexander Looby and "Bob" Lillard to win and keep their seats in the legislative department of Nashville.

Charles W. Anderson, a Republican retained his seat as a member of the legislature in Kentucky because white Republicans have been unwilling to run candidates from the old Tenth Ward district in Louisville.

Apparently Memphis Negroes will need to work on the problem of creating "comming causes" among Negroes and whites so as to bring about the election of a competent person of color for posts in the Memphis City government. It is hardly possible to accomplish the desired end by an all-out attack on the overwhelming majority white population.

Negroes Pray For Rain in Memphis Vote

Associated Press.

MEMPHIS, Aug. 20.—A segregationist bomb threat and Negro prayers for rain backdropped today's city election that may send a Negro to

lation will fail and the Landrum-Griffin bill will become law.

With that in mind, union lawyers already are looking at Landrum-Griffin provisions to see if they can challenge the tough reform bill on constitutional grounds.

So far, they have spotted two possible test issues. Ironically, the only provision they are certain could not stand a court challenge is one dealing with management.

It requires employers to report expenditures for certain activities which the union lawyers say already are outlawed by the 12-year-old Taft-Hartley Act.

The other possible challenge under study is the Landrum-Griffin bill's ban on secondary boycotts.

The lawyers also are studying other Landrum-Griffin sections they contend are "unfair" if not unconstitutional. Among them:

- The "no man's land" provision. Union spokesmen say it would apply federal law to big employers and state law to smaller ones engaged in the same business. They believe it could produce a situation in which a $50 order in any one year could mean the difference between compliance with the Taft-Hartley Act and defiance of it.
- The bill's hot cargo ban. This is aimed primarily at James R. Hoffa's Teamsters Union. But AFL-CIO lawyers say it would prevent any company president from agreeing not to handle non-union goods even if he thought it was in his own interest to do so.
- The provision that every union local, no matter how small, must make federal financial reports and be responsible for members' rights. In the union view, this would make it almost impossible to get volunteer workers to serve as officers of small locals.

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TEXAS

Meeting To Discuss Poll Tax System Scheduled Oct 18

HOUSTON — A meeting for the purpose of familiarizing Negro voters with Harris County's new poll tax requirements is scheduled Sunday afternoon at Emancipation Park on Dowling St at 3:30.

The meeting was arranged by Negro politician, civic, and church leaders who felt the voting in the November 21 city elections could be severaly lessened by uniformed eligible voters.

Organizations such as the Harris County Democrats, the Harris County Council of Organizations, and the Citizens Committee on Justice and Good will were instrumental in the birth of the gathering.

"Many people don't read the newspapers and don't know about the new procedures for getting poll taxes." Mrs C. L. Barnes, chairman of Area 8b of the Harris County Democrats.

GET OUT VOTE

We're trying to make this a huge drive to get out the vote," she concluded.

The Chairman of the Planning Committee for Sunday's meeting, Mrs C. V. Adair, said the new procedures "will cut the voting strength in Harris County if citizens do not know all the features attached there to."

Speakers at the meeting will be the Rev Robert E. Hayes, pastor of the Trinity Methodist Church; The Rev John D. Moore pastor of Pilgrim Congregational Church; Chairman of the Citizens Committee on Justice and Goodwill, Sid Hilliard, and the Rev B. H. Roberts, pastor of the Shiloh Baptist Church.

SIGN AFFIDAVITS

The County Tax-Assessor Collector requires this year, for the first time that applicants for poll tax receipts sign affidavits of their identity and residence.

Persons who mail in application blanks to be placed in drug stores and groceries do not have to sign affidavits. Applications are also being mailed to tax-payers with tax bills sent by County Tax Assessor Collector Carl S. Smith.

TEXAS STUDY SHOWS NEGRO VOTING RISE

Special to The New York Times.

AUSTIN, Tex., Sept. 6—A survey by the Southern Regional Council of Atlanta has disclosed that 23 per cent of the state's Negroes entitled to vote, or 226,000, enrolled as voters last year.

This survey, believed to be the first made of voting by Texas Negroes, gave higher figure than previous estimates of Negro voting strength in the state. In 1956, a Presidential election year, the estimate was 150,000.

However, figures gathered by the council for all the South, indicated a decline in Negro voting strength from 1956 to 1958.

The county-by-county survey of the Council indicated that 163,773 Negroes paid their poll taxes in Texas last year. The rest of the estimated total of 226,00 was made up of Negroes exempted from the poll tax because of age or other provisions of the law.

The estimates of Negro voters ranged from 100 per cent in Loving County, the state's smallest population county with only four Negroes, to an average of about 12 per cent in many counties.

How many of the Negroes eligible to vote did so last year has not been calculated.

"A Fishing Expedition"

Norfolk Defenders Lose Suit To Bar Negro Vote

Journal & Guide Sat. 9-5-59
Norfolk, Va. P. 1

By THOMAS L. DARNEY

A special three-judge court killed efforts in Norfolk Wednesday afternoon in Corporation Court to have thrown out as illegal the votes in eight predominantly Negro precincts in the Democratic primary of July 14.

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Va

The suit contesting the colored vote was brought by 20 persons headed by two men who were defeated in the questioned election. They had run with endorsement of the segregationist Defenders organization, and suffered sorely at the hands of voters.

In a terse statement Judge H. Lawence Bullock, speaking for the court, said "this court is of the opinion that the demurrers should be and are sustained."

AT STAKE during the arguments which lasted over three hours was the question whether a person who did not vote for the candidates for the Democratic party in last fall's general election could legally cast his ballot in the July 14 primary.

The burden of the arguments of the defendants represented by Robert MacMillan, H. Lee Kanter and Augustus Anninos was that the Virginia election laws provide for a remedy which the plaintiffs sought, but that they failed to take advantage of it at the polls where the votes of suspected persons should have been challenged.

LAWYERS FOR the defendants argued that the suit was improperly instituted in that it was brought under a section of the Virginia election laws relating to general elections rather than primary elections. And they contended that the suit was not subject to amendments to set it right.

Defendants lawyers also contended that only general allegations were made in the brief of plaintiffs that persons in the precincts in question were illegally permitted to vote and that there were other irregularities involved. They insisted that Virginia election laws call for specifications and details in charges of the type made by the plaintiffs.

MR. MacMILLAN told the court repeatedly that the complaint alleges wrongs in the primary election procedures which it does not specify only claiming that "certain persons" were permitted to vote illegally in the primary. He said the list of voters included in the brief filed by the plaintiffs did not indicate which voters were permitted to cast their ballots illegally.

The irony of the suit was that only voters in the predominantly Negro precincts where the results went overwhelmingly against Defender-backed candidates were challenged. And the challenge came only after the State Senator, Edward L. Breeden, and House candidates Calvin H. Childress and Henry E. Howell defeated their opponents.

LOUIS S. Herrink Jr., Richmond lawyer who represented Hal J. Bonney, defeated candidate for the House of Deleiates, and 19 others, told the court that no charges were being made against any particular voter. He charged that the election judges in the eight precincts in question were guilty of "gross dereliction of duty" in not challenging the voters at the polls.

Mr. Herrink compared this situation to an election fraud case in Kentucky where all the questionable votes were thrown out by order of the court. He claimed that because of the failure of the judges in the precincts to do their duty it cannot be determined which votes were legal and illegal and as a result all the votes in those precincts should be thrown out.

MR. MacMILLAN, attorney for Senator Breeden, supported by H. Lee Kanter and Augustus Anninos, attorneys for Mr. Howell and Mr. Childress, said the suit if the plaintiffs consisted of generalities which couldn't be proved without "parading 4,200 people" on the witness stand.

Both M. Kanter and Mr. Anninos told the court that to specify the allegations in the suit would require . . . "invading the secrecy of the ballot."

MR. MacMILLAN said it was not sufficient to come into court with broad general allegations that people were permitted to vote illegally. And to make such charges after the election was tantamount to "an attempt to go into men's minds."

The challenge must be made when the person offers to vote, Mr. MacMillan said. Having lost this opportunity ,he said, the plaintiffs want the court to sit as election judges. He pointed out that all the machinery was available on election day to give the plaintiffs an opportunity to challenge the right of any voter to cast his ballot.

MR. MacMILLAN insisted that a voter should be challenged before the secrecy of the ballot is involved. He said the secrecy of the ballot is an important matter and that Virginia legislators were cognizant of this when they voted for Virginia election laws. He told the court:

"It will be a complete defeat of the statutory remedy to have 4,200 people come before this court to tell how they voted in the 1958 general election." He said no amendment could be made to the suit to correct any error made preparing the brief of the plaintiffs.

The attorney for Mr. Bonney and others interested in the suit sought vainly to show that the voters in question were not qualified to vote in the primary because they voted for Dr. Louise Wensel instead of Senator Harry F. Byrd in the November 1958 general election.

Questions that no lawyer could answer were: (1) How many colored people who voted for Dr. Wensel in the 1958 general election voted in the Democratic primary? (2) How many who voted in both elections voted in the Democratic primary for Senator Breeden and Mr. Childress and Mr. Howell? (3) Who were the colored voters who cast their ballots in the general election for Dr Wensel and then voted in the primary for Senator Breeden, Mr. Childress and Mr. Howell?

These 64 dollar question had the plaintiffs stymied. These questions were involved during the entire argument in court, but most of the argument was over before Mr. MacMillan finally pointed out that the 65 per cent of the voters said to be involved in both elections could conceivably not be the same people.

Members of the three-judge court appointed to hear the case were Judge H. Lawrence Bullock of the Corporation Court, Norfolk; Circuit Court Judge Lyttelton Waddell of Charlottesville, and Circuit Court Judge Earl L. Abbott of Clifton Forge.

Why Only Whites Vote In Newton

Guide Norfolk, Va. Sat. 10-3-59

By ROBERT E. BAKER

In the Washington Post and Times-Herald 34e

(Editor's Note — The following article by Mr. Robert E. Baker, staff member of the Washington Post-Times Herald, tells the story of racial discrimination in the matter of voting as it is in Baker County, Ga., one of the 29 counties in the South which do not allow a single Negro to vote. The article is significant also, for the way it reveals how Negroes are intimidated and browbeaten in certain areas in the South).

NEWTON, Ga. — Feudal overtones and overbearing weight of customs are enough to keep most Baker County Negroes from attempting to register and vote. Intimidation and violence take care of the others.

These are the factors that place this Georgia black-belt county among the 29 counties in the South which have no registered Negro voters. The white people have made it clear that they do not want Negroes to register, much less vote. The Negroes have gotten the message.

THUS, OUT OF 1900 whites in this southwest Georgia county, 1670 are registered to vote—88 percent. The 3300 Negroes have scored a zero in that department.

This is Deep South country. Peanuts, pecans and cotton keep the county alive. Four out of five persons work on the land. It is a liquor oasis, the nearest wet county to many dry ones, and therefore boasts six whisky stores. Much wealth lies in few and distant hands: the plantations. Baker county has four of them.

BUT FOR MOST people here, there is not much wealth and living is hard. Newton, the county seat, is barely a crossroads with a few stores and a dilapidated courthouse. The way —and facts—of life keep most Negroes in line.

Most are poor and uneducated. They are domestics, or they work on the land for $3 to $4 a day. They have no leadership. There are no Negro businesses or professionals, other than the 35 Negro teachers. No Negro ministers live in the county; they come to the churches for services, then leave. Interracial groups of any kind are unknown.

IN 1943 — BUT still seared in the minds of Negroes here—Bobby Hall, a Negro mechanic, was beaten to death after he had been arrested on a tire theft charge and had complained to a nearby judge. Sheriff Claude Screws was indicted in the case, cleared and last year the white voters sent him to the State Senate.

A dozen years ago, some 475 Negroes were on the voter registration books. But they were successfully purged by the followers of Eugene Talmadge.

In the fall of 1957, members of the Voters League (Negro) of Albany, 22 miles away in Dougherty county, began encouraging Negroes in Baker county to register. When the visiting Negroes were returning home after a rally, they were systematically arrested for speeding and drinking and fined a total of $1400.

Encouraged by passage of the 1957 Civil Rights Act, four Baker county Negroes attempted to register and persuade others to. On the night of Dec. 12, the cars of two of them were bombed; the front porch of a third was blown up. The FBI investigated, but the blasters were never caught. The daughter of one of the Negroes lost her teaching job; his brother-in-law lost his school bus driver's job and the brother-in-law's daughter last her teaching job.

IN NEARBY Terrell county, 45 miles north of here, events last year were a warning for all Deep South Negroes. On one hand, a Federal grand jury declined to indict police officers in the shooting deaths of two Negroes, the wounding of a third and the beating of two others.

On the other hand, the Terrell county board of registrars refused to register five Negroes, four of them college graduates. The Justice Department's Civil Rights Division filed suit under the 1957 Civil Rights Act, but Federal Judge T. Hoyt Davis declared the applicable section unconstitutional. The Justice Department has appealed.

CHIEF REGISTRAR for Baker county is Kent E. Jones, Farm Bureau insurance man and former member of the General Assembly. He is a thoughtful, hospitable man who talked frankly about the shutout of Negro registrations. "The white people don't want the Negroes to vote and the Negroes know it."

"And if the Negroes are on the public payroll, they know what to expect. I feel it necessary to tell my Negro friends that, when they ever come to me and mention registering."

Jones told of Georgia's system of registration, involving an application of intent to register, an appearance before the county board of registrars for testing of applicant's understanding of the principles of the republican form of government and his moral fitness. "That moral fitness part," said Jones, "that eliminates 98 per cent of the Negroes here."

Negro Voters Support Moderates In Virginia

The Call
Kansas City, Mo.
Jan. 11-13-59
P. 12

RICHMOND, Va. — (ANP) — Negro voters lined up solidly behind moderate Democratic candidates for the Virginia House and Senate in elections in Richmond, Norfolk and other communities last week.

They supported the same candidates they helped nominate in the July 14, primary.

Actually, Negroes voted for the liberal wing of the party, which broke with extremists over the school integration issue. The extremists, backed by such segregationist organizations as the Defenders of State Sovereignty, wanted no part of integration and were for closing schools. The liberals, however, counseled "cool heads and respect for the law of the land."

Held United Fund

Negro voters acted upon the advice of the 16-member Negro Citizens committee in Norfolk, which asked support for candidates they helped nominate. The committee asked a united front by Negro voters, noting:

"They (segregationists) are counting upon a coalition of dissatisfied Democrats and hopeful Republicans, plus a split in the Negro vote, to turn the trick. That must not happen."

As a result, a show of strength for Negro candidate, Joe Jordan, an attorney, was precluded. Jordan was campaigning on a platform favoring state operation of electric power and mines.

Elsewhere on the electoral front, there were these developments:

In Rock Hill, S. C., more than 160 additional Negroes were registered and became eligible to vote in the Dec. 1 municipal election. The registration was due to an intensive three-day campaign conducted by the local Congress of Racial Equality chapter, headed by Thomas M. Murdock, a photographer.

The Georgia Voters league, at its annual meeting in Atlanta, adopted a program for increasing registration, fuller participation in the 1960 elections and the activation of a youth division. Theme of the meet, which saw John Wesley Dobbs, Atlanta, re-elected president, was "An Active Electorate for Georgia."

2 Election Managers Also Named

Lumberton Gets Negro Registrar

Voting Registrar In N. C. City

At Norfolk, Apr. 24

Voter Rally Will Attract Top Figures

Special to Journal and Guide

LUMBERTON, N. C. For the first time in this area which is hard on the border of South Carolina, a colored citizen has been named registrar of a voting ward. Two colored elections managers for the same ward were named in recent action by the local city council.

Named registrar for the newly created Sixth Ward, which covers South Lumberton largest colored resident area community in the city, is the Rev. Eugene Burns Turner, who has pastored Fist Baptist church here for ten years.

Efforts of the committee led to the appointment of two colored police officers, a colored policewoman and a truant officer here.

REV. MR. TURNER was an unsuccessful candidate for election to the local school board in last year's election.

City Council announced appointment of the polls officials as the city prepares to vote in the April 21 primary in which three school board and five city council seats are at stake

NAMED ELECTION managers were Mrs. Bessie Powell, retired school teacher; and James Graves. Mr. Graves, who is also retired, is an officer of Mt. Olivet Methodist church. Mrs. Powell is also active in church circles.

Rev. Mr. Turner was one of the organizers of the highly respected Citizens Civic Committee here which has helped foster many improvements.

REV. E. B. TURNER
Named Registrar

DR. HELEN EDMONDS and REV. W. H. BORDERS
Rally-Luncheon Speakers

Forum-Luncheon Scheduled Also

Some of the nation's foremost figures in the field of civil rights will take part in a Voters Rally to be held at the Norfolk Municipal Arena Friday night, April 24 at 8 p. m.

CONG. A. C. POWELL, JR.
Will Appear Also

Congressman A. C. Powell, Jr., of New York; the Rev. William Holmes Borders, Atlanta; Judge H. T. Delany, New York; Mrs. Verda F. Welcome, Maryland, and Dr. Helen Edmonds, Durham, N. C., are among those who will participate.

A PEOPLE'S chorus has been organized under direction of I. Sherman Greene and the Excelsior band, under the baton of Alvin T. Richter, will provide music.

These dignitaries not only will be heard at the rally at the Arena, but will also be on hand at a forum-luncheon at the Jacox Junior high school on Saturday following the meet.

CONG. POWELL is an outspoken champion of civil rights in the US Congress. He is the first Negro elected to the body from New York. Rev. Dr. Borders is widely heralded as a minister, builder, author and public speaker. He recently led bus desegregation efforts in Atlanta.

Mrs. Welcome,, who was recently elected to the Maryland State legislature, defied political patterns by running as an independent and won the seat by a respectable majority over candidates from the two major parties.

JUDGE DELANY has a long record of civic and social advancement participation.

On Saturday at the Jacox school the National Council of Negro Women will continue the objectives of the rally by holding a forum-luncheon on "Women and the Vote". The forum is from 9:45 a. m. to 12:45 p. m., the luncheon at 1 o'clock. Dr. Edmonds, of North Carolina college, will be the keynoter and Mrs. Welcome, the guest speaker. Women high in Democratic and Republican national parties will speak on panels. Their names will be announced later.

MRS. ROBERT D. Robertson is local president of the NCNW; Mrs. Madeith Williams is general chairman of the forum-luncheon; Mrs. Leroy Porter is chairman of the forum committee; Mrs. Joyce Brown, chairman of the luncheon committee; Mrs. Oswald Hoffler and Mrs. Edna Powell, co-chairman of tickets; Mrs. Cleo Stinson, decorations and Mrs. Cromwell Douglas, gifts and door prizes.

Miss Lelia Robinson, is in charge of hostesses; Mrs. Mary Harden, monitors; Mrs. Vera David, treasurer; Miss Virginia Davidson, secretary of committee; Mrs. Virginia Randolph, correspondent secretary; Miss Margurite Preston, Virginia Beach; Mrs. Lillie Hill, Mrs. Maude Epps, Mrs Viola Jones, Mrs. M. Bowman, Mrs. Lenora Hunter, Miss Constance Fuller, Mrs. Janie Blair and others are workers.

THE TWO-PHASE occasion is being sponsored by a number of organizations under the general chairmanship of Dr. S. F. Coppage. Attorney Joseph Jordan and Mrs. Vivian Carter Mason are co-chairmen of the

endeavor and included on the Executive Committee are the Rev. W. L. Hamilton, Robert D. Robertson, Mrs. Julia Folk, Mrs. Robert D. Robertson, David Alston and others.

Among sponsoring organizations are the NAACP, the Norfolk Alliance Political Action Committee, AFL-CIO local unions, the Allied Churches, and many clubs which have recently received certification for having a 100 per cent registered voters membership. Outstanding leaders on the local scene will also participate. Admission to the Rally is free.

In Virginia

Voters' League Sets Session Sept. 26-27

Courier Petersburg, Va. Sat. 9-5-59

RICHMOND—The Virginia Voters League, Inc., of Virginia, will hold its 19th annual session in Mathews County, Sept. 26 and 27.

Dr. Thomas H. Henderson, recent candidate for the House of Delegates, will be one of the principal speakers. Dr. Henderson, who is dean of the college at Virginia Union University, will discuss some of the hear-searching experiences the lawyers in the school segregation cases are confronted with in their efforts to batter down the walls of segregation.

Daniel A. Bowers, executive secretary of the Virginia Council of Human Relations, will discuss race relations.

■

JAMES P. SPENCER, president of the VVL, will open the session.

Other speakers on the two-day program include Howard Wilkinson, assistant secretary of the NAACP State Conference of Branches; Wiley A. Hall, executive secretary of the Richmond Urban League; J. Murray Brooks, of Mathews County, principal of the host high school. Thomas Hunter High, and the Rev. Marian Hall, pastor of churches in Middlesex County and King and Queen Counties.

Amos C. Clark, executive secretary of the VVL, announced that all meetings would be held at the Thomas Hunter High School at Mathews Court House. The Mathews County Chapter of the VVL will serve as host chapter. Mrs. Francis P. Jackson of Susan, Va., is chairman of the housing committee.

Politicians Study Lessons Of Primary Election

Bigger Role Seen For Race Voter

By A Staff Writer

NORFOLK — Virginia politicians, licking wounds from the recent Democratic primary election and planning for future campaigns, have recognized an important problem which admittedly they can no longer ignore: what to do with the Negro vote.

As Democrats seek to clear away the wreckage of the recent primary election, evidence of the colored vote stands out dramatically for all to see in several key sections of the Old Dominion — including Norfolk, Portsmouth, Norfolk county, Suffolk, Nansemond county, Newport News (Peninsula area) and Richmond.

THE SMASHING defeat of rigid segregationists in the primary has been attributed directly to the unified determination of colored voters, who refused to be spit up and rendered impotent. Colored citizens were "sick and tired" of massive resisters and they joined white voters who, likewise, wanted a more reasonable to approach to Virginia's racial problems.

That, basically, is what happened in the primary election and this is the topic of discussion as politicians meet in "smoke-filled rooms" to plan for the election campaigns of 1960 and 1961.

THE SUIT contesting the Negro vote in Norfolk, brought by a defeated segregationist candidate and 17 others, points up the decisive effect of this city's colored ballots. In nearby Norfolk County, it has been disclosed that the veteran office holder, Revenue Commissioner Hugh Johnston, would have been renominated if the colored vote had stayed with him. But MT. Johnston, like many other losers, made the mistake of embracing a legislative ticket of ultra-massive resisters.

After the dust had settled and he had come out on the short end of the ballotting in Norfolk County, Mr. Johnston is quoted as saying:

"The white folks don't care if you're for or against them but the Negroes sure care. . ."

NOWHERE IN the state was the effect of the colored vote so effectively dramatized than in Portsmouth where Mrs. Inez Baker, running as a rigid segregationist for re-election to the House, was snowed under in defeat. Political observers recall that it was the colored vote which originally elected her in 1957.

As the lessons of the recent primary are studied, it becomes apparent that political leaders can no longer "look the other way" from Negro voters. That's the best way to lose an election.

Beaten Republicans File Petitions Charging Virginia Voting Abuses

By the Associated Press

Petitions have been filed in two southwest Virginia counties charging election abuses. Republicans are behind both of the maneuvers.

In Dickinson County Friday, eight losing Republican candidates in the November 3 election filed a 102-page petition in circuit court charging that the heavy run of absentee ballots last week was "shot through with fraud and corruption."

A similar Lee County petition filed earlier challenged the election of five Democrats to county offices and charged flagrant abuse of the absentee ballot.

The Dickenson Republicans asked that their eight Democrat counterparts be removed from the offices they seemingly won. The Democrats have 10 days in which to reply to the charges.

Behind the Dickenson petition were the three losing G. O. P. candidates for the county's five-man Board of Supervisors and the Republican candidates for sheriff, clerk, treasurer, comonwealth's attorney and commissioner of revenue.

Under Virginia law, an election contest shall be heard by a three-judge court specially impaneled for the occasion. There is no appeal from their decision.

An unofficial count showed that in Dickenson County, out of a total vote of about 10,000, there were 1,050 absentee ballots cast. Among other charges, the Republicans claimed that:

Poll taxes for absentee voters were solicited by registrars in the various precincts in violation of the law.

A great number of the ballots of purported voters were secured by "fraud, perjury and deceit."

At Jonesville in Lee County, Glen M. Williams, defeated Republican candidate for the State Senate seat embracing Lee and Scott Counties, said he entered his petition Thursday. It, too, would be heard by a special three-judge court.

Lee County Republicans also contested the outcomes of races for sheriff, treasurer, clerk, commissioner of revenue and commonwealth's attorney. The petition charges widespread ballot fraud, particularly in regard to absentee ballots.

The Lee County petition makes four basic charges:

1. Many of the 2,895 absentee votes were cast contrary to law such as by persons who did not intend to be away from their homes on election day or who were added in marking their ballots.

2. Every absentee ballot cast for a Republican was tampered with—in one case the envelope actually was opened, the ballot removed and one marked for Democratic candidates substituted.

3. About 1,200 of those voting by mail were not legally registered as voters in Lee County.

4. Money was improperly spent during the election, such as for illegal payment of other people's poll taxes or to buy votes.

"We also have alleged," Mr. Williams stated, "that over 300 persons were in fact denied the right to vote because when they appeared at the polling place they found their names on the absentee voters' lists. They had been voted without their knowledge.

Democratic Chairman Reba Rasnick issued a statement on behalf of the County Democratic Committee saying, "It appears the contest route is being followed for publicity purposes by a member of the Republican Party reportedly interested in seeking nomination for Congress.

Law Sought To Bar Bias On Negro Voters

CHARLOTTESVILLE, Va. — (UPI) — Sen. Philip A. Hart, D-Mich. used a forum in the South Monday night to appeal for a federal law barring discrimination against Negro voters.

Hart, a member of the Senate Judiciary Committee, is the author of a bill calling for a three-member elections commission to insure that qualifications for congressional elections, set by the states, are uniformly applied to all residents.

He urged approval of the measure in a speech before the student legal forum at the University of Virginia Law School.

"The next meaningful step for Congress in carrying through its already expressed determination to effectively ensure the franchise for all citizens should be action such as the establishment of a system of federal election registrars, or the creation of a congressional election commission as an arm of the Congress," Hart said.

The Federal Civil Rights Commission proposed last summer that the President be authorized to appoint federal registrars when there is reason to believe that local authorities would not properly carry out registration prior to federal elections. Fourteen other senators joined Hart in supporting his proposal for an elections commission would apply only to congressional elections.

NEEDED FOR VOTER DRIVE

Negro Lawyer Can Copy Norfolk Registration List, Court Rules

NORFOLK, Va. — (ANP) — Circuit Court Judge Thomas W. Johnson ruled last week that Joseph A. Jordan, Jr., Norfolk Negro lawyer, was entitled to copy from the city's registration list. Notice of a plan to appeal the ruling was made by Commonwealth Attorney Linwood B. Tabb.

Jordan, who is a write-in candidate for the Virginia House of Delegates in the Nov. 3 election, is secretary of the Norfolk Alliance for Political Action. He said he needs the list to secure information to conduct a drive for more qualified voters in Norfolk.

Johnston heard Jordan's suit Wednesday and ruled that the Negro candidate could examine the books.

Jordan inspected the voter lists in the office of Registrar Mary E. Dudley Thursday.

Johnston's formal order was entered late Friday afternoon, directing the registrar "to permit the petitioner (Jordan) to inspect the voter registration books for the City of Norfolk, and to permit said petitioner to make notes from, and to copy information from the said books at reasonable times."

Because of the pending appeal, execution of the order will be stayed for 60 days upon the posting of a $500 bond by the city to cover the costs of an appeal.

Tabb indicated the bond would be posted early next week.

E. A. Daley Jr., who with L. W. Holl represented Jordan, stated he did not think Jordan would be barred from further examination of the registration lists by the appeal, despite the stay of Judge Johnston's order.

Negro Voters Spur Turnout in South

By Robert E. Baker
Staff Reporter

The recent Democratic primary in Virginia showed that Negro voters hold the balance of power in the State's two largest cities when white voters are divided.

Norfolk and Richmond have joined other Southern cities where the growing Negro vote is a force to be reckoned with. These cities include Atlanta, Nashville, Memphis, Jacksonville and Durham, N. C.

This development has great significance in the South. Surveys there have shown that an increase in the Negro vote, or an increase in the percentage of Negroes voting, tends to produce an increase in the white vote.

In the future, this would mean that Southern elections, in which small turnouts have been traditional, will represent a better cross-section of the population.

In Atlanta, for example, where a Negro twice has been seated on the Board of Education in a city-wide election with the necessary help of white voters, a Negro candidate for alderman once won enough votes to get into the run-off primary.

Biggest Turnout in History

Marvin Griffin, then Governor, jumped into the scene and warned white residents they had better go to the polls to defeat the Negro candidate. It was the biggest turnout in the city's history and the Negro was defeated. But an Atlanta newspaper commented at the time that, in a sense, the turnout was a healthy development because it got more voters to the polls.

An increase in the Negro electorate in the South thus presages an expanded white electorate.

In the July 14 Virginia Democratic primary, State Sen. Edward E. Haddock led five candidates for Richmond's three Senate seats. He got 13,711 votes.

It is generally conceded that Haddock—much more liberal on the desegregation issue than any other candidate—would not have been renominated without 9000 Negro votes, most of which were "single-shot ballots" for him.

Other candidates included three supporters of Gov. J. Lindsay Almond's "freedom of choice" program for school desegregation, as was Haddock, and an arch-segregationist who ran a very poor fifth.

"Single-Shot" Negro Votes

In a nine-man, mad scramble for seven Richmond House seats, the Negro voters "single-shot" for Dean Henderson of Virginia Union University, a Negro. He ran ninth, only 839 votes behind the eighth-place candidate and 1748 votes out of seventh place which would have made him the first Negro member of the Legislature since Reconstruction.

About 14,000 Negroes were fully qualified to vote in Richmond—and 9000, or 64 per cent, turned out. Only 33 per cent of the qualified white voters turned out. This led the Richmond Times-Dispatch to comment editorially:

"The manner in which the Negro vote turned out on Tuesday in Richmond in much larger proportion than the white vote, gives food for thought.

"It should be noted, too, that Richmond's population is becoming steadily more colored, percentage wise. Unless white voters show the same zeal in going to the polls that colored voters showed this week, they will, in turn, lose control of the city government."

Haddock made this observation:

"Since voting strength is more evenly divided, representatives ought to make their decisions in public office based on what's best for the citizenry as a whole, rather than on racial lines."

Different in Norfolk

In Norfolk, Negro voters did not "single-shot" their votes. But their votes were responsible for the renomination of State Sen. Edward L. Breeden Jr., a supporter of "freedom of choice."

Breeden alienated half of the Democratic organization in Norfolk in a judgeship fight and was set up for a "purge." Opposing him was Reid M. Spencer, somewhat more "massive" on the school issue and supported by unyielding segregationists. The Negroes' 3600 votes almost all went for Breeden and he beat back Spencer by 1500 votes.

In the race for six House seats, Negroes voted for the four incumbents, who would have won without their help, and two moderates who needed—and got—their help to win.

Law Sought To Bar Bias On Negro Voters

CHARLOTTESVILLE, Va. — (UPI) — Sen. Philip A. Hart D-Mich. used a forum in the South Monday night to appeal for a federal law barring discrimination against Negro voters.

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20,000 voters is goal set by Crusade for voters in 1959

RICHMOND

The Crusade for Voters will sponsor a meeting at Slaughter's Hotel Ballroom to kick off its 1959 effort to get 20,000 qualified voters in the city.

Each person attending the meeting is asked to get five other "crusaders" to help in the campaign for more voters.

Bill Thornton, president of the Crusade for Voters, speaking on the current drive for 20,000 voters, said:

"This is a year of decision for colored citizens of Richmond. We have reached a point where with a little more effort we can become an important part of Richmond's political picture.

"When I say we, I mean the group as a whole, not our Crusade for Voters which is a non partisan coordinating organization. This is a year of decision because:

1. Petty politicians may set in motion, through a referendum, the machinery for the abolition of our public schools.

2. Petty politicians may also call for referendums to annex bordering counties in order to bring into the city a vast number of white voters to offset the gains made by the colored population.

"We cannot meet these referendums with only emotional cries of indignation; we must have the ballot waiting and ready in the hands of at least 20,000 colored citizens.

"Many of our southern politicians believe that we are not capable of looking ahead and analyzing political events. They believe we react only when the crisis is upon us and it's too late to do anything other than make emotional speeches.

"That is why our election laws allow so long a period between elections and the deadline for becoming a qualified voter. The deadline this year is May 2, 1959. We are of age and with your help the politicians will get a rude surprise this year."

The Crusade of Voters has headquarters at 420 N. First St. Johnny Brooks is executive secretary and Fergie Reid, suffrage chairman.

15,000 voters

RICHMOND

More than 15,000 colored Richmonders are qualified to vote in the July 14 Democratic primary elections for the Senate and House of Delegates.

Latest available official estimates of the number of eligible voters submitted to the State Board of Elections by City Registrar Vernon N. Davis in April showed a total of 53,858 white voters (28,359 men, 25,499 women) and a total of 15,373 colored voters (7,987 men, 7,386 women)

The Answer Is No

The U.S. News and World Report in its June 22 issue with apparent relish asks the question, "Is the Supreme Court Changing Its Mind?"

It asks the question because of recent decisions of the court on racial matters which were decided by a 7 to 4 vote.

With the majority are Associate Justices Felix Frankfurter, Thomas C. Clark, John Marshall Harlen, Charles E. Whittaker and Potter Stewart.

Voting with the minority are Chief Justice Earl Warren and Justices Hugo L. Black, William O. Douglas and William J. Brennan.

The decisions that evoked so much jubilance from the segregationist News and World Report were:

(1- The upholding of North Carolina's literacy test as a qualification for voting and

(2- The ruling that the constitutionality of Virginia's anti-NAACP laws must be first tested in state courts, before being passed on by federal courts.

From here, it looks like David Lawrence and News and World Report are once again whistling in the dark.

If anybody thinks that any member of the Supreme Court hasn't accepted as final the 1954 public school decision, he's fooling only himself.

In the North Carolina case, the court has held there's nothing wrong with a literacy test as long as it is applied to all prospective voters without regard to race.

And in the Virginia matter, all the court has done is, as Justice Douglas so ably pointed out in his dissent, given Virginia and the South "a delaying tactic that may involve years of time and that inevitably doubles the cost of litigation."

As we see it, neither of these decisions means that the Supreme Court is reversing itself or intends to knuckle under to the mendacious bombardment of the Dixiecrats.

The worst our enemies can do is to slow here and there and that only temporarily our steady march toward freedom; they can never bring it to a halt.

Va. voters roughshod resistors

By RUFUS WELLS

RICHMOND

Virginians buried "massive resistance" under an avalanche of votes in Tuesday's Democratic primaries.

The massive resistance to the school intergration program was killed several months ago by state and federal courts rulings. Nevertheless, several candidates ran in the primary election on a massive resistance platform.

Returns from the primary contests for approximately one-third of the 40 Senate and 100 House seats indicate that massive resisters suffered heavy losses throughout the state.

With the exception of Southside Virginia, a stronghold of die-hard segregationists, voters throughout the state rejected candidates who ran on "massive resistance" alone.

* * *

THE BATTLE lines were rather clearly drawn between candidates who favored the Almond-Perrow plan of "limited integration" and those who sought a return to the defunct massive resistance program.

The question was: Would white Virginians back Governor Almond in his turnabout on the school question?

Some 100,000 voters answered by voting overwhelmingly for continued public education.

In Richmond, colored voters turned the tide for Sen. Edward E. Haddock, liberal incumbent seeking re-election.

The segregationists had sought to unseat Haddock, the only Senator to openly fight massive resistance, but he was swept back into office on 13,711 votes—some 7,000 of them colored citizens — to lead the winning slate.

Lewis C. Pendleton Jr., a Richmond candidate for the Senate, ran last in the five man race, though backed by the Defenders of State Sovereignty and Individual Liberties. Pendleton polled a mere 6,699 votes.

* * *

HADDOCK'S lanslide demonstrated the potent force of the colored vote, which candidates had previously felt it "politically expedient" to ignore.

Sen. Armistead L. Boothe at Alexandria and Sen. Blake T. Newton in Northern Neck Stafford Prince William area, won lopsided victories over massive resister opponents.

Sen. Stuart E. Hallet of Hampton, a massive resister, was beaten about seven to four by former Sen. Victor P. Wilson, who favored Almond's plan of controlled integration.

Sen. W. Marvin Minter of Mathews, who opposed the Almond plan, lost to Fred W. Bateman of Newport News, who said he was for local option elections on the school issue.

* * *

IN NORFOLK, Almond supporters had a clean sweep in seats. The three-man ticket of the Defenders lost to opponents who supported Almond's program.

Norfolk House winners and votes were: Del. D. Davis, 11,989; Del. J. W. Roberts, 10,866; Del. T. C. Pilcher, 12,219; Del. T. D. Savage, 11,382; Calvin H. Childress, 8,620, and Henry E. Howell Jr., 8,687.

Other candidates were Hal J. Bonney Jr., 6,877; Daniel H. Payne, 5,984; W. I. McKendree, 5,844; Ernest L. Sutton, 5,928, and Grover C. Outland Jr., 4,893.

Bonney, McKendree and Sutton ran as a massive resister ticket backed by the Defenders.

Del. Inez Baker, a massive resister, lost to two Almond-Perrow program backers at Portsmouth. Del. Willard J. Moody and Donald H. Sandie won the two nominations. The vote for Moody was 7,206; Sandie 6,211; and Baker, 2,499.

Registration Ends Saturday For Virginia

Saturday is the deadline to register to vote in Virginia's November elections.

Northern Virginia registrars will hold special hours Saturday. Registrations may be made through Friday during regular office hours.

Mrs. Mary A. Thompson, Arlington registrar, said her office at the courthouse will be open from 8:30 a.m. to 1:30 p.m. Saturday. Registrars at the individual precincts also will be available Saturday from 9 a.m. to 5 p.m.

In Fairfax County, Mrs. Juanita Buckley, general registrar, said her office at the courthouse will be open Saturday from 8:30 a.m. to 4 p.m. Precinct registrars will be available from 9 a.m. to 5 p.m.

Alexandria Registrar Fred Pettit will be available at the City Hall from 9 a.m. to noon Saturday.

Harry Wells, Falls Church registrar, will hold office hours from 8:30 a.m. to 1 p.m. Saturday at City Hall. There are no precinct registrars in Alexandria and Falls Church.

Present registrations in the four jurisdictions total approximately 120,000. Latest figures show Fairfax with 48,034; Arlington, 43,109; Alexandria, about 25,000, and Falls Church about 3,000.

4400 Negro Ballots Are Protested

Journal & Guide

Defender Candidate Heads Group Trying To Use Old Ruling

Norfolk, Va.

By A STAFF WRITER

NORFOLK—If the lawsuit seeking to throw out the entire Negro vote in the July 14 primary election isn't itself thrown out of court as a groundless complaint, it still will have to hurdle many legal and factual barriers before victory comes in sight.

The case has been set for a hearing before a three-judge court on Aug. 26. Any legal briefs on questions of law will have to be filed by Aug. 21.

Three unsuccessful candidates for the House of Delegates who were strongly backed by the Defenders of State Sovereignty and Individual Liberties, and 17 other voters filed the suit on July 24.

DEMURRERS were entered on Wednesday by the winning candidates asking dismissal of the suit on several technical grounds. Victors in the primary election whom the Defenders want purged are State Senator Edward L. Breeden Jr., and Henry E. Howell and Calvin H. Childress who won the Democratic nomination for the House of Delegates along with four incumbents.

Senator Breeden also filed an answer to the complaint but Mr. Howell and Mr. Childress announced they will file their answer within the ten days allowed.

THE VICTORY by the moderates who ran on a "keep - the - public - schools - open" platform is being attacked in court by Hal J. Bonney, W. I. McKendree and Ernest L. Sutton Sr., ardent segregationists and avowed candidates of the Defenders.

If they are successful, Senator Breeden would be replaced on the Democratic ticket by Reid M. Spencer who had the backing of the Defenders and a handful of Negro political workers. However, Mr. Reid is not a party to the suit.

The issues raised by the demurrers are that the legal challenge:

1. Was made under the wrong set of laws. It charges that the Defenders' candidates rely on sections of the State code dealing with general elections rather than with primaries.

2. Does not provide a list of specific votes that will be disputed, and that the law requires objections to be noted for each vote in question.

3. Was not preceded by challenges at the polls of voters claimed to be illegally participating in the Democratic primary, and that the law makes this the first step in any primary election challenge.

In his answer to the suit, entered at the same time as his demurrer, Mr. Breeden denied the charges of voting irregularities and called on the plaintiffs to provide "strict proof."

HE ALSO charged that the complaints failed to use the remedy of challenges at the polls, which is provided by statute, although they publicly announced prior to the election that they would do so. Having failed to make use of that remedy, he says, they waived that objection and are now "estopped" from asserting it.

Mr. Breeden also said in his answer that "the secrecy of the ballots cast in (the predominantly Negro) precincts is now guaranteed by Section 27 of the Constitution of Virginia."

IN LEGAL and political circles there is talk of other defense the victorious candidates may assert.

One is that it is the custom and practice of the Democratic party to permit "open participation" of all voters in their primary elections.. They cite the 1952 gubernatorial primary when Democratic leaders openly invited Republicans to come in and help nominate John S. Battle for governor. Mr. Battle won and was subsequently elected governor.

ANOTHER ANGLE is that state laws stipulating who may or may not vote in a primary "permit" party officials to bar persons who did not support the party's nominees in the last general election, but are not absolute bars to their participation.

A further defense is that the throwing out of all the votes in six precincts would violate the 14th amendment to the United States Constitution, and also certain sections of the Federal Civil Rights Code.

THESE DEFENSES would permit the winners to appeal an adverse verdict of the three-judge State court to the U. S. Supreme Court on the grounds that Federal laws and Constitutional rights were infringed.

Va Negroes Win Court Decision Contesting Vote

Afro-American Feb 5-54 p2

NORFOLK, Va. — (ANP) -A victory for democracy was won here in Corporation Court on Wednesday, August 24, when a three-judge court threw out a suit filed by the Defender-backed candidate for the Virginia Legislature asking that the 4,200 Negro votes in the July 14 Democratic primary be voided as illegal.

The suit contesting the Negro vote was brought by 20 persons led by two white men who were defeated in the primary election. Their defeat was sealed by he way residents voted in eight heavily populated Negro precincts.

The Defenders of State Sovereignty and Individual Liberties have led the fight in Virginia against school desegregation. In recent months they have sought to capture important state and local government positions to put them at an advantage in their fight for continued segregation of the races in every phase of life.

Two Defender- backed candidates, Hal J. Bonney and W. I. McKendree, were among the three unsuccessful bidders for election in the primary. They were defeated by the votes cast against them in the eight predominanly Negro precincts. If those votes had been thrown out Edward L. Breedon Jr. state senator and House candidates Calvin H. Childress and Henry E. Howell would have lost their nominations.

The petition asking that the 4,000 Negro votes be thrown out made no reference to any irregularity that might have occurred in the precincts which were predominantly white. It was clear from this that the suit was filed to get rid of the Negro votes because they brought defeat to the Defender-backed candidates.

The suit was brought by 20 persons led by two men who were defeated in the primary election. Judge H. Lawrence Bullock of Corporation Court announced the decision of the tribunal which cannot be appealed under state law.